

# JOURNAL OF THE SENATE

Wednesday, May 19, 1937

The Senate convened at 11:00 o'clock A. M. pursuant to adjournment on Tuesday, May 18, 1937.

The President in the Chair.

The roll was called and the following Senators answered to their names:

Mr. President; Senators Adams, Beacham, Beall, Butler, Clarke, Dame, Dugger, Gomez, Graham, Harper, Hinely, Hodges, Holland, Johns, Kanner, Kelly, Kendrick, McArthur, McKenzie, Mapoles, Murphy, Nordman, Parker, Parrish, Rose, Sharit, Smith, Sweger, Tervin, Tillman, Walker, Westbrook, Wynn—34.

A quorum present.

Senator Black was excused from attendance upon the Session on account of illness.

Senator Touchton was excused from attendance upon the Session on account of business.

Senators Nordman, Beall, Savage and Coulter were excused from attendance upon the Session in order to attend a meeting of the Committee on Temperance.

Prayer by the Chaplain.

The reading of the Journal of May 18, 1937, was dispensed with.

The Journal of May 18, 1937, was corrected.

And as corrected was approved.

## REPORTS OF COMMITTEES

Senator Smith, Chairman of the Committee on Internal Affairs, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 19, 1937.

*Hon. D. Stuart Gillis,*  
*President of the Senate.*

Sir:

Your Committee on Internal Affairs, to whom was referred:

Senate Bill No. 711:

A bill to be entitled An Act disclaiming all interest of the State of Florida in certain lands in Putnam County, Florida, and granting the grantors of the State of Florida all interest of the State of Florida therein, and providing for conveyance thereof.

Also—

Senate Bill No. 803:

A bill to be entitled An Act granting and conveying to the United States of America the lands, appurtenances and supplies now owned by the State of Florida and used as a fish and game propagation plant located at Welaka, Putnam County, Florida and providing for methods of quieting and transferring title and cancelling State and County taxes.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,  
S. C. SMITH,  
Chairman of Committee.

And Senate Bills Nos. 711 and 803, contained in the above report, were placed on the Calendar of Bills on second reading.

Senator Kanner, Chairman of the Committee on Education, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 18, 1937.

*Hon. D. Stuart Gillis,*  
*President of the Senate.*

Sir:

Your Committee on Education, to whom was referred:

Senate Bill No. 539:

A bill to be entitled An Act to authorize and direct the

Board of Commissioners of State Institutions to accept on behalf of the State of Florida the property devised and bequeathed to the State of Florida by the last will and testament and codicil thereto of John Ringling, deceased, describing the terms and conditions of accepting the gift, and providing for the care, operation, control and maintenance of the property under the authority and direction of the State Board of Education and Board of Control.

Have had the same under consideration and recommend that the same pass, with the following amendments:

Amendment No. 1:

At the end of Section 1 add the following: Prior to the acceptance on behalf of the State of the property by the Board of Commissioners of State Institutions, it shall be the duty of the board to make investigations of the estate of John Ringling, deceased, and do all things necessary to preserve and protect the property so that it will not be dissipated or wasted. It shall be the duty of the Attorney General and of the several State Attorneys, under the direction of the Attorney General, to render to the board, free of charge, any and all assistance which it may require in the performance of its duty with respect to the property.

Amendment No. 2:

At the end of Section 2 add the following: All property received by the State under the will, and the codicil thereto, of John Ringling, deceased, shall be and remain in Sarasota, Florida; and the paintings, pictures, works of art, tapestries, antiques, sculptures and library of art books received under the will and codicil shall not be removed from the City of Sarasota, Florida.

Amendment No. 3:

In line 11 of the title after the words "Of Accepting the Gift," insert the following: And imposing upon the Board of Commissioners of State Institutions the duty of making investigations of the estate of John Ringling, deceased, and doing all things necessary to preserve and protect the property prior to its acceptance by the State of Florida and requiring the Attorney General and the several State Attorneys to render free of charge all assistance required by the board in connection with the property.

Very respectfully,

A. O. KANNER,  
Chairman of Committee.

And Senate Bill No. 539, contained in the above report, together with Committee Amendments thereto, was placed on the Calendar of Bills on second reading.

## REPORT OF COMMITTEE ON ENGROSSED BILLS

Senator Hinely, Chairman of the Committee on Engrossed Bills, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 19, 1937.

*Hon. J. Stuart Gillis,*  
*President of the Senate.*

Sir:

Your Committee on Engrossed Bills, to whom was referred (with amendments), after third reading:

Senate Bill No. 874:

Authorizing the City of Tampa to sell certain refunding bonds at private sale.

Have carefully examined same, and find same correctly engrossed, and return same herewith.

Very respectfully,  
S. A. HINELY,  
Chairman of Committee.

And Senate Bill No. 874, contained in the above report, was ordered to be certified to the House of Representatives.

Senator Hinely, Chairman of the Committee on Engrossed Bills, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 19, 1937.

Hon. D. Stuart Gillis,  
President of the Senate.

Sir:

Your Committee on Engrossed Bills, to whom was referred (with amendments), after third reading:

Senate Bill No. 418:

A bill to be entitled An Act creating a Delinquent Tax Adjustment Board in each county and providing for the organization thereof; authorizing said board to adjust or compromise with the owner of real estate located in the county that has been sold for State and county taxes, all State and county tax sale certificates held by the State against such real estate and issued by the State against such real estate and issued by virtue of any sale for State and county taxes assessed for 1936 or any previous years, prescribing the form of applications for relief under this Act; and fixing the fee of the Clerk of the Circuit Court for the redemption, or assignment of, adjusted, or compromised tax sale certificates.

Have carefully examined same, and find same correctly engrossed, and return same herewith.

Very respectfully,

S. A. HINELY,  
Chairman of Committee.

And Senate Bill No. 418, contained in the above report, was ordered to be certified to the House of Representatives.

Senator Tillman moved that the rules be waived and the Senate do now reconsider the vote by which House Bill No. 446 passed the Senate on Tuesday, May 18, 1937.

The President put the question.

Which was agreed to by a two-thirds vote and the Senate reconsidered the vote by which House Bill No. 446 passed the Senate on May 18, 1937.

The question recurred on the passage of House Bill No. 446.

Pending roll call on the passage of House Bill No. 446, Senator Tillman moved that the rules be waived and the further consideration of House Bill No. 446 be informally passed.

Which was agreed to by a two-thirds vote and it was so ordered.

Senator Tillman moved that the rules be waived and the Senate do now reconsider the vote by which House Bill No. 487 passed the Senate on Tuesday, May 18, 1937.

The President put the question.

Which was agreed to by a two-thirds vote and the Senate reconsidered the vote by which House Bill No. 487 passed the Senate on May 18, 1937.

The question recurred on the passage of House Bill No. 487.

Pending roll call on the passage of House Bill No. 487, Senator Tillman moved that the rules be waived and the further consideration of House Bill No. 487 be informally passed.

Which was agreed to by a two-thirds vote and it was so ordered.

Senator Walker moved that the rules be waived and the Senate do now reconsider the vote by which House Bill No. 1307 passed the Senate on Tuesday, May 18, 1937.

The President put the question.

Which was agreed to by a two-thirds vote, and the Senate reconsidered the vote by which House Bill No. 1307 passed the Senate on May 18, 1937.

The question recurred on the passage of House Bill No. 1307.

Pending roll call on the passage of the bill, Senator Walker moved that House Bill No. 1307 be indefinitely postponed.

Which was agreed to and House Bill No. 1307 was indefinitely postponed.

Senator Walker moved that the rules be waived and the Senate do now reconsider the vote by which House Bill No. 1305 passed the Senate on Tuesday, May 18, 1937.

The President put the question.

Which was agreed to by a two-thirds vote and the Senate reconsidered the vote by which House Bill No. 1305 passed the Senate on May 18, 1937.

The question recurred on the passage of House Bill No. 1305.

Pending roll call on the passage of the bill, Senator Walker moved that House Bill No. 1305 be indefinitely postponed.

Which was agreed to and House Bill No. 1305 was indefinitely postponed.

Pursuant to the provisions of Senate Concurrent Resolution No. 10, the President announced the appointment of Senators Sharit, McArthur, Kelly, Westbrook and Beacham, as the committee on the part of the Senate, to study the road system of the State of Florida and report to the 1939 Session of the Legislature a rational plan for future road program.

Pursuant to the provisions of Senate Concurrent Resolution No. 15, the President announced the appointment of Senators Tillman, Kanner and Savage as the committee on the part of the Senate to investigate the Feasibility of Establishing a Branch of the Florida State Hospital at some point in South Florida.

Senator Holland moved that the rules be waived and the Senate do now reconsider the vote by which House Bill No. 190 passed the Senate on Tuesday, May 18, 1937.

The President put the question.

Which was agreed to by a two-thirds vote and the Senate reconsidered the vote by which House Bill No. 190 passed the Senate on May 18, 1937.

The question recurred on the passage of the bill.

Pending roll call on the passage of House Bill No. 190, Senator Holland moved that the rules be waived and the further consideration of House Bill No. 190 be informally passed.

Which was agreed to by a two-thirds vote and it was so ordered.

#### REPORT OF THE JOINT LEGISLATIVE COMMITTEE ON UNIFORM CHARTERS

May 19, 1937.

To the Honorable D. Stuart Gillis,  
President of the Senate.

To the Honorable W. McL. Christie,  
Speaker of the House.

Your Joint Legislative Committee appointed by the President of the Senate and Speaker of the House of the 1935 Session of the Florida Legislature to investigate the question of setting up uniform laws for cities and towns of Florida on a population basis, with a view of making recommendations to the 1937 Legislature pursuant to a Constitutional Amendment adopted at the general election 1934, beg leave to report the following:

As Chairman of this Joint Committee I called a meeting to be held at the George Washington Hotel, Jacksonville, Florida, on August 1st and 2d, 1935, and invited a number of citizens interested in city government to meet with us. A large representation attended. The matter of uniform charters as required by Section 24 Article III of the Constitution of the State as amended by its adoption at the general election of 1934 was discussed at some length and your committee was assured the support of a number of experts on municipal government with a view of preparing uniform charters. A transcript of that meeting is attached herewith, marked Exhibit 1 and asked to be made a part of this report.

Your Chairman and various members of the committee visited different sections of the State and conferred with municipal officials and others interested in the question, and gained much information from numerous sources.

In 1936 your Chairman appointed committees for each of the classifications of cities and towns and asked these committees representing the respective classifications, to hold meetings for formulating charters and making any reports and recommendations they might deem advisable. Some member of your committee was made Chairman of these sub or group classification committees, a list of whom is attached hereto marked Exhibit 2 and asked to be made a part of this report.

These various group committees held numerous meetings and studied the question of uniform charters very carefully. Most of them made written reports to the Chairman of your committee, which reports are attached hereto.

Those making an investigation in Classification A composed of cities and towns with a population up to one thousand, filed their report through Senator A. O. Kanner and Messrs. Jim C. Clements and George E. Holt. A copy of this

report is attached hereto marked Exhibit 3 and asked to be made a part hereof.

Those making investigation in Classification B composed of cities and towns with a population ranging from one thousand to three thousand, made their report through Senator George F. Westbrook. The original of this report is attached hereto marked Exhibit 4 and asked to be made a part hereof.

Those making investigation in Classification C composed of cities and towns with a population ranging from three thousand to seventy-five hundred, filed their report through Senator S. L. Holland, the original of which is hereto attached marked Exhibit 5 and asked to be made a part hereof.

The report from Classification D composed of cities and towns with a population of seventy-five hundred to twenty thousand, was filed through Honorable LeRoy Collins, the original of which is hereto attached marked Exhibit 6 and asked to be made a part hereof.

The report from Classification E composed of cities and towns with a population ranging from twenty thousand to forty thousand, was filed by Senator Phillip D. Beall, the original of which is attached hereto marked Exhibit 7 and asked to be made a part hereof.

The report from Classification F composed of cities and towns with a population from forty thousand to one hundred thousand, was filed by Senator Wallace Tervin. This classification contained only one city, to-wit, St. Petersburg, and no recommendation for change of charter or future action was made.

The report from Classification G composed of cities with a population of one hundred thousand and over, was filed by Senator Henry C. Tillman. I file herewith copy of this report together with copy of the proposed charter, marked Exhibit 8 and ask that same be made a part of this report. This group did a great deal of work on this question and proposed a charter which is respectfully recommended for the careful consideration of all interested in preparing charters for the larger cities of the State.

The City of Orlando through its Clerk sent to the Chairman of your Committee a Resolution opposing any change in their charter and asking that the Constitution be amended so as to provide for more complete home rule. A copy of this Resolution together with the letter from the Clerk is attached hereto marked Exhibit 9 and asked to be made a part of this report.

Among the documents received by the Chairman of your Committee in the study of this question during the last two years, is an annual report from Henrico County, Virginia, for the year ending June 30, 1936. This county is doing some pioneering in local government. The report is hereto attached, marked Exhibit 10 and asked to be made a part of this report.

In order that this Session of the Legislature might have before it all available information from experts and those interested in the subject, your Chairman through the cooperation of the Florida League of Municipalities was fortunate in securing the services of a municipal expert, Mr. Donald C. Stone, Director of Research Division of Public Administration Service, Chicago, Illinois. This is a branch of the American Municipal Association with headquarters at No. 850 East 58th Street, Chicago. Mr. Stone spent considerable time in this State making a careful study of our municipal problems, and filed a rather exhaustive report with the Chairman of your Committee. A copy of his report is attached hereto marked Exhibit 11 and asked to be made a part of this report. The report of Mr. Stone is especially commended to those interested in the study of municipal charters generally in the State of Florida, and it should be made available for those wishing a copy of it. The American Municipal Association sent Mr. Stone into the State and had him give his time and make this report without any expense whatever to the State of Florida.

Since the 1937 Session of the Legislature convened, the Joint Legislative Committee appointed at the last session, has made still further study of the question which they were asked to report upon. They asked the assistance of a number of city attorneys in the State and others interested in city government, to meet and formulate with this committee, a suggested charter to be presented to this Legislature. Those assisting the committee made further study of the question and held a final meeting in Orlando on April 27, 1937, and reported to the Chairman of your Committee through E. B. Donnell, that they deemed it inadvisable to attempt any uniform charter legislation at this session of the Legislature, but

recommended some suggestions for further Constitutional amendment looking toward more home rule for municipalities. A copy of this report is attached hereto marked Exhibit 12 and asked to be made a part thereof.

After a very thorough study and investigation of the question submitted to your committee when it was appointed at the last Session of the Legislature, we suggest the following conclusions and recommendations:

1. That no uniform charter be enacted at this session of the Legislature.

2. That a Joint Resolution be passed amending Section 24 of Article III of the Constitution of the State of Florida. A suggested wording of that Joint Resolution is as follows:

"A JOINT RESOLUTION proposing to amend Section 24 of Article III of the Constitution of the State of Florida, relating to County and Municipal Governments.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

That Section 24 of Article III of the Constitution of the State of Florida, relating to county and municipal governments, be, and the same is, hereby amended, and as amended, is agreed to and shall be submitted to the electors of the State of Florida at the general election of representatives to be held in 1938 for approval or rejection. Said Section 24 of Article III, as amended, shall read as follows:

Section 24. The Legislature shall establish a uniform system of county government which shall be applicable, except in cases where local or special laws for counties are provided by the Legislature that may be inconsistent therewith. The Legislature shall, by general law, provide for the incorporation, abolition, government, jurisdiction, powers, duties, and privileges of cities and towns. Every city and town shall have the power, within the limits prescribed by general law, to determine its form of government, and to designate, alter or change the number, titles, powers, duties, compensation, terms of office and the time and manner of election or appointment of any and all officers and boards, to abolish any office or board, and to create such offices and boards as may be deemed proper for the government of such city or town. Such power shall be exercised as follows: Not oftener than once in every two years the Legislative body of the city or town may, upon its own motion, propose any such change by ordinance but it shall be mandatory upon it to propose such changes as are petitioned by fifteen per cent of the qualified electors; such ordinance shall be published in a newspaper having a general circulation in said city or town at least thirty days prior to the date of a general or special election of said city or town advising the qualified electors thereof that said ordinance will be submitted for ratification or rejection at said election; said ordinance shall thereupon be submitted at said general or special election, and if approved and ratified by a majority of the qualified electors of such city or town participating therein, the ordinance, together with the certificate of the officers canvassing the returns of said election, shall be recorded among the ordinances of said city or town, and a certified copy thereof shall be recorded in the office of the clerk of the circuit court of the county in which such city or town is located, and also in the office of the Secretary of State, in a book to be provided in each of said offices for that purpose, to be known and designated as "Municipal Charters," and thereupon said ordinance shall become a part of the charter of said town or city and shall prevail over any provisions of general law inconsistent therewith, and the courts of this State shall take judicial notice thereof.

All general, special and local laws and all municipal charters governing and relating to cities and towns shall remain in full force and effect until changed or altered under the provisions of this Section.

No local or special law relating to or dealing with the incorporation, government, jurisdiction, powers, duties, and privileges of cities and towns shall be enacted by the Legislature after the adoption of this amendment."

3. That this Legislature either continue this Committee or appoint a new committee to make further study and recommendations on this question, and that should the voters adopt the amendment herein suggested, at the next general election, that this new committee be required to present proposed legislation at the next Session of the Legislature carrying out the provisions of the amendment.

4. That some reasonable appropriation be made for the expense of this new committee; a sum of Fifteen Thousand Dollars is suggested. Drafting of the necessary legislation

will require considerable time by experts and a great deal of stenographic work.

Respectfully submitted,

JOHN R. BEACHAM,

Chairman, Legislative Committee on Uniform Charters.

Senator Beacham moved the adoption of the Report of the Joint Legislative Committee on Uniform Charters.

Which was agreed to and the Joint Report was adopted.

# INTRODUCTION OF RESOLUTIONS

By Senators Hinely and Gillis—

Senate Concurrent Resolution No. 19:

WHEREAS, Stephen Collins Foster was one of the most famous of early American folk song writers; and

WHEREAS, in his song "OLD FOLKS AT HOME," he has made immortal the Suwannee River in the State of Florida; and

WHEREAS, by Act of the Legislature this song has been made the official State Song; and

WHEREAS, it seems fitting that some memorial in recognition of his work should be erected in the State of Florida; and

WHEREAS, a Committee has been appointed by the President of the Florida Federation of Music Clubs to foster such a memorial, which Committee is composed of the following:

Mrs. Leon Whitehurst, Chairman.

Mrs. E. F. Montgomery and Mrs. M. L. Master, Selection of Site.

Mrs. A. W. Hodges and Mrs. O. P. Phillips, Distribution of Foster Pins.

Mrs. Grace Murray and Mrs. Arthur L. Johnson, Selection of Foster Songs.

Mrs. Bertha Cole, Treasurer.

Miss Elizabeth C. Runyon, Assistant Secretary.

Mrs. Roberta Beacham, President, State Music Teachers Association.

Mrs. Loyd Jones, Junior Counselor; and

WHEREAS, said Committee suggests for such memorial an amphitheater situated on or near the banks of the Suwannee River with an over-life size figure of Foster with characters or scenes suggesting his best loved songs carved in bas-relief either in the base of the figure or the background, as the artist may interpret it; and

WHEREAS, such a memorial will furnish an appropriate setting for folk festivals, transmit beauty to the State of Florida, and serve as an immortal shrine to the greatest of folk song writers; and

WHEREAS, such a memorial would be typical of a music organization; and

WHEREAS, said plan or proposal has been adopted by the Florida Federation of Music Clubs; therefore

BE IT RESOLVED BY THE SENATE OF THE STATE OF FLORIDA, THE HOUSE OF REPRESENTATIVES CONCURRING:

That the said proposed memorial to Stephen Collins Foster be, and the same is hereby endorsed and approved, and that the solicitation, acceptance and receipt of donations, gifts and gratuities for said memorial by the said Committee appointed by the President of the Florida Federation of Music Clubs be, and the same is hereby commended and approved; and

BE IT FURTHER RESOLVED, That the style, form and location of said memorial, as above outlined, is also approved.

Which was read the first time in full.

Senator Hinely moved that the rules be waived and Senate Concurrent Resolution No. 19 be read the second time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Concurrent Resolution No. 19 was read the second time in full.

The question was put on the adoption of the Concurrent Resolution.

Which was agreed to and Senate Concurrent Resolution No. 19 was adopted, and ordered to be certified to the House of Representatives.

Senator Johns moved that a committee be appointed to

escort Honorable J. M. Mann, former Senator from the 15th Senatorial District, to a seat on the rostrum of the Senate.

Which was agreed to and the President appointed Senators Johns, Beacham and Murphy as the committee.

# INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senator Beacham—

Senate Joint Resolution No. 906:

Proposing to amend Section 24 of Article III of the Constitution of the State of Florida, relating to county and municipal governments.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

That Section 24 of Article III of the Constitution of the State of Florida, relating to county and municipal governments, be, and the same is, hereby amended, and as amended, is agreed to and shall be submitted to the electors of the State of Florida at the general election of representatives to be held in 1938 for approval or rejection. Said Section 24 of Article III, as amended, shall read as follows:

Section 24. The Legislature shall establish a uniform system of county government which shall be applicable, except in cases where local or special laws for counties are provided by the Legislature that may be inconsistent therewith. The Legislature shall, by general law, provide for the incorporation, abolition, government, jurisdiction, powers, duties, and privileges of cities and towns. Every city and town shall have the power, within the limits prescribed by general law, to determine its form of government, and to designate, alter or change the number, titles, powers, duties, compensation, terms of office and the time and manner of election or appointment of any and all officers and boards, to abolish any office or board, and to create such offices and boards as may be deemed proper for the government of such city or town. Such power shall be exercised as follows: Not oftener than once in every two years the legislative body of the city or town may, upon its own motion, propose any such change by ordinance but it shall be mandatory upon it to propose such changes as are petitioned by fifteen per cent of the qualified electors; such ordinance shall be published in a newspaper having a general circulation in said city or town at least thirty days prior to the date of a general or special election of said city or town advising the qualified electors thereof that said ordinance will be submitted for ratification or rejection at said election; said ordinance shall thereupon be submitted at said general or special election, and if approved and ratified by a majority of the qualified electors of such city or town participating therein, the ordinance, together with the certificate of the officers canvassing the returns of said election, shall be recorded among the ordinances of said city or town, and a certified copy thereof shall be recorded in the office of the clerk of the circuit court of the county in which such city or town is located, and also in the office of the Secretary of State, in a book to be provided in each of said offices for that purpose, to be known and designated as "Municipal Charters," and thereupon said ordinance shall become a part of the charter of said town or city and shall prevail over any provisions of general law inconsistent therewith, and the courts of this State shall take judicial notice thereof.

All general, special and local laws and all municipal charters governing and relating to cities and towns shall remain in full force and effect until changed or altered under the provisions of this Section.

No local or special law relating to or dealing with the incorporation, government, jurisdiction, powers, duties, and privileges of cities and towns shall be enacted by the Legislature after the adoption of this amendment.

Which was read the first time in full.

Senator Beall moved that the rules be waived and Senate Joint Resolution No. 906 be read the second time in full.

Which was agreed to by a two-thirds vote.

And Senate Joint Resolution No. 906 was read the second time in full.

Senator Rose moved that a committee be appointed to escort Honorable Charles O. Andrews, United States Senator, to a seat on the rostrum of the Senate.

Which was agreed to and the President appointed Senators Rose, Parrish and Tervin as the committee.

Senator Beall moved that the rules be further waived and Senate Joint Resolution No. 906 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Joint Resolution No. 906 was read the third time in full.

Pending roll call, Senator Westbrook moved that the rules be waived and the further consideration of Senate Joint Resolution No. 906 be informally passed.

Which was agreed to by a two-thirds vote and it was so ordered.

By Senator Beacham—

Senate Bill No. 907:

A bill to be entitled An Act providing for the appointment of a Joint Committee of the Senate and the House of Representatives to supervise the drafting or proposed General Laws relating to the incorporation, abolition, government, jurisdiction, powers, duties, and privileges of cities and towns for submission to the 1939 Session of the Legislature of Florida in the event of the approval of the Joint Resolution proposing to amend Section 24 of Article III of the Constitution of the State of Florida relating to County and Municipal Governments at the general election to be held in 1938, and making an appropriation to such committee in the event of such approval.

Which was read the first time by title only.

Senator Beacham moved that the rules be waived and Senate Bill No. 907 be read the second time in full.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 907 was read the second time in full.

Senator Parrish now in the Chair.

Senator Westbrook moved that the rules be further waived and Senate Bill No. 907 be read the third time in full.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 907 was read the third time in full.

Pending roll call, Senator Westbrook moved that further consideration of Senate Bill No. 907 be informally passed.

Which was agreed to and it was so ordered.

By Senator Tillman—

Senate Bill No. 908:

A bill to be entitled An Act to create a bureau of road and tag inspection, to authorize the State Road Department to employ a supervisor of inspection and inspectors, fix the terms of their employment, amount of their compensation, and prescribe their duties; to authorize the employment of a cashier and to fix the term of his employment, the amount of his salary and prescribe his duties; to require the cashier to give bond; to authorize the necessary and clerical help in the Bureau of Road and Tag Inspection, fix the terms of employment and prescribe the duties thereof; to create a road and tag inspection fund; to repeal all laws and parts of laws in conflict herewith.

Which was read the first time by title only and referred to the Committee on Public Roads and Highways.

By Senator Sharit—

Senate Bill No. 909:

A bill to be entitled An Act to abolish the present municipal government of the City of Port St. Joe, in the County of Gulf, in the State of Florida, and to create, establish and organize a municipality to be known and designated as the City of Port St. Joe, and to define its territorial boundaries and to provide for its government, jurisdiction, powers, franchises and privileges.

The following proof of publication was attached to Senate Bill No. 909 when it was introduced in the Senate:

STATE OF FLORIDA,  
COUNTY OF GULF:

Before me personally came C. F. Hanlon, who, being duly sworn, says he is Publisher of the Gulf County Breeze, a weekly newspaper, printed in the English language, and of general circulation, published in Wewahitchka, Gulf County, Florida, and that the attached notice was published in said newspaper once a week for a period of four consecutive weeks, beginning March 5, 1937, and ending March 26, 1937, the date of such publication being March 5, 12, 19, 26, 1937.

And deponent further says that the Gulf County Breeze has been continuously published as a weekly newspaper and has been entered as second class mail matter at the Post

Office in the City of Wewahitchka, Gulf County, Florida, each for a period of more than one year next preceding the date of the first publication of the above described Order, Notice of Publication and/or Advertisement; and has been published in accordance with Chapter 14830, Laws of Florida, 1931.

C. F. HANLON,

Publisher of the Gulf County Breeze.

Sworn to and subscribed before me this 4th day of May, A. D. 1937.

J. R. HUNTER, Clerk Circuit Court.

By L. I. HUNTER, D. C.

(Mch 5-4t)

(SEAL)

Notice is hereby given that the undersigned will apply to the Legislature of Florida, at its regular Session to be held in the year 1937, for the passage of a Local Bill, the substance of which shall be as follows:

"An Act to abolish the present municipal government of the City of Port St. Joe, in the County of Gulf, in the State of Florida, and to create, establish and organize a municipality to be known and designated as the City of Port St. Joe, and to divide its territorial boundaries and to provide for its government, jurisdiction, powers, franchises and privileges."

J. L. SHARIT,

Senator, 25th District of Florida.

Which was read the first time by title only and placed on the Calendar of Local Bills on second reading.

By Senator Coulter—

Senate Bill No. 910:

A bill to be entitled An Act providing that in all counties of the State of Florida, having a population of not less than twelve thousand nine hundred and seventy-three and not more than thirteen thousand three hundred fifty, according to the 1935, State Census, of Florida, and receiving funds or moneys under the provisions of Chapter 14,832, Laws of Florida, Acts of 1931, or any Act amendatory thereto, and funds or moneys received from licensing, firms, corporations, associations or individuals operating a Fronton for the exhibition of the Spanish ball game called Jai-a-lai, or Pelota, which may be paid to the State of Florida, and all other funds derived and received from the licensing and taxing of all other forms of games for amusement where the same is to be apportioned or paid to the several counties of the State of Florida, and where the Board of Public Instruction of such counties are using the funds so received for the purpose of paying notes, time warrants, or other forms of indebtedness, on a prorata basis, heretofore contracted by the Boards of Public Instruction in such counties, and the said funds so received are used exclusively for the purpose of paying these notes, time warrants or other obligations of said Boards of Public Instruction. Then the said Boards of Public Instruction shall be prohibited from paying a greater or higher rate of interests on said notes, time warrants or other obligations of indebtedness than five per centum per annum; and making it unlawful for such Boards of Public Instruction to pay a higher or greater rate of interest on such obligations, per annum, than five per centum per annum, and prescribing a penalty for the violation of the provisions of this Act

Which was read the first time by title only and placed on the Calendar of Local Bills on second reading.

By Senator McKenzie—

Senate Bill No. 911:

A bill to be entitled An Act to authorize the County of Putnam and Board of County Commissioners of Putnam County, Florida, to make special appropriation, for free library service and providing for the expenditure thereof; and providing for the Board of County Commissioners to contract with the Palatka Public Library for such services.

Which was read the first time by title only and placed on the Calendar of Local Bills on second reading.

By the Committee on Temperance—

Senate Bill No. 912:

A bill to be entitled An Act to amend Sections 1, 4, 5, 6, 9, 11, 13, 14, 15 and 16 of Chapter 16,774, Acts of 1935, Laws of Florida and providing for search and seizure, entitled "An Act regulating and taxing the manufacture, distribution and sale of beverages containing more than one per centum of alcohol, creating and providing for a State Beverage Department."



ment, providing penalties for the violation of this Act and repealing existing laws concerning said beverages."

Which was read the first time by title only and placed on the Calendar of Bills on second reading without reference.

By Senator Sharit—

Senate Bill No. 913:

A bill to be entitled An Act to fix the compensation of Assistant State Attorneys in all Judicial Circuits of the State of Florida which are now, or may hereafter be, composed of six counties, and which now, or may hereafter have, two circuit judges.

Which was read the first time by title only and referred to the Committee on Judiciary "A."

By Senator Dugger—

Senate Bill No. 914:

A bill to be entitled An Act authorizing and empowering the State Road Department, as soon as practicable and funds are available, to widen State Road Number 3 (also designated as U. S. Federal Highway Number 17) from Jacksonville to Orlando, and State Road Number 2 (also designated as U. S. Federal Highway Number 17) from Orlando via Kissimmee to Haines City, and State Road Number 17 from Haines City via Lakeland to Tampa, so as to double the present width of said roads from Jacksonville to Tampa.

Which was read the first time by title only and referred to the Committee on Public Roads and Highways.

By Senator Dugger—

Senate Bill No. 915:

A bill to be entitled An Act authorizing, directing and empowering the Board of County Commissioners of Baker County, State of Florida, to pay G. E. Johnson of Glen St. Mary of Baker County, Florida, a sum not exceeding One Thousand Dollars (\$1000.00) in full and complete settlement of any and all claims that he might have of whatsoever kind or nature on account of an injury sustained by himself.

The following proof of publication was attached to Senate Bill No. 915 when it was introduced in the Senate:

#### NOTICE OF APPLICATION FOR SPECIAL LAW

Notice is hereby given that I will introduce in the Legislature of Florida at its regular session to be held in 1937, commencing the 6th day of April, 1937, to-wit:

A bill to be entitled An Act authorizing, directing and empowering the Board of County Commissioners of Baker County, State of Florida, to pay G. E. Johnson of Glen St. Mary of Baker County, Florida, a sum not exceeding One Thousand Dollars (\$1000.00) in full and complete settlement of any and all claims that he might have of whatsoever kind or nature on account of an injury sustained by himself while being employed by the Board of County Commissioners of Baker County, Florida.

#### PUBLISHER'S AFFIDAVIT

STATE OF FLORIDA, )  
COUNTY OF BAKER ) ss.:

On this day personally appeared before me Tate Powell, to me well known, who being by me first duly sworn, deposes and says that he is one of the firm of Powell & Powell, publishers of the Baker County Press, a newspaper published weekly in the Town of Macclenny, Baker County, Florida, and of general circulation in said county; that said newspaper has been published in accordance with the provisions and requirements of Chapter 14830, Laws of Florida, Acts of 1931; and that the attached notice was published in said newspaper for four (4) consecutive weeks, the date of the first insertion being on the 23rd day of April, 1937, and the date of the last insertion being on the 14th day of May, 1937 that the dates of the other two (2) insertions were April 30, 1937, May 7th, 1937.

TATE POWELL,  
Sworn to and subscribed before me this 17th day of May, 1937.  
(Seal)

J. S. BURNETT,  
Clerk Circuit Court,  
Baker County, Florida.

Which was read the first time by title only and placed on the Calendar of Local Bills on second reading.

By the Committee on Judiciary "B"—

Senate Bill No. 916:

A bill to be entitled An Act relating to the last will and testament of the late John Ringling, deceased, and providing that the State of Florida waives and relinquishes the gifts, devises, bequests, trusts and duties of said will in favor of the City of Sarasota, Florida, and that same are accepted by the City of Sarasota, Florida.

Which was read the first time by title only and placed on the Calendar of Bills on second reading without reference.

By the Committee on Finance and Taxation—

Senate Bill No. 917:

A bill to be entitled An Act relating to license taxes, repealing Chapter 14491, Laws of Florida, Acts of 1929; repealing parts of Chapter 2 of Title VI, of Division 1 of the Revised General Statutes of Florida, of 1920; repealing Chapter 16801 and Chapter 17167, Laws of Florida, Acts of 1935; amending Section 911 of the Revised General Statutes of Florida, of 1920, as amended by Chapter 1050, Laws of Florida, Acts of 1925; imposing certain license taxes and providing for the payment and collection thereof, and providing that license taxes shall be a lien on the property of the person liable therefor, under certain circumstances.

Which was read the first time by title only and placed on the Calendar of Bill on second reading without reference.

By Senators Mapoles, Sweger, Graham and Coulter—

Senate Bill No. 918:

A bill to be entitled An Act to provide State Public Safety: To that end to create the State Department of Public Safety: To prescribe its membership, duties, powers and authority: To provide for divisions of such department, for the employees thereof, and duties and compensation: To provide for the license of chauffeurs and other operators of motor vehicles as herein defined. To provide for certain liabilities, penalties and punishment in such operation: To provide for the selection and compensation of the personnel of the Division of State constabulary of said department and their duties: To provide for other matters in connection with public safety: And making certain funds available for the purpose of carrying out the provisions thereof.

Which was read the first time by title only and referred to the Committee on Public Roads and Highways.

Senator Gomez moved that Senate Bill No. 322 be referred to the Committee on Public Utilities.

Which was agreed to and it was so ordered.

By Senator Mapoles—

Senate Bill No. 919:

A bill to be entitled An Act to provide for the acquisition of a site, the erection, construction, furnishing and equipping of a building thereon, for the use of the State Board of Conservation to include the State Geologist, the Shell Fish Commissioner, the Game and Fresh Water Fish Commissioner, and all matters appertaining to their several departments, and other purposes connected and appertaining thereto, and making appropriations for the same.

Which was read the first time by title only and referred to the Committee on Appropriations.

By Senator Mapoles—

Senate Bill No. 920:

A bill to be entitled An Act to provide for the acquisition of a site, the erection, constructing, furnishing and equipping of a building thereon, for the use, and to be known as the Florida State Library building, and other purposes appertaining thereto, and making appropriations for the same.

Which was read the first time by title only and referred to the Committee on Appropriations.

By Senator Mapoles—

Senate Bill No. 921:

A bill to be entitled An Act to provide for the acquisition of a site, the erection, constructing, furnishing and equipping of a building thereon for the use of the Florida Public Service Commission, otherwise referred to in the Constitution and Laws of Florida as the Railroad Commission, and other purposes connected therewith and appertaining thereto, and making appropriations for the same.

Which was read the first time by title only and referred to the Committee on Appropriations.

By Senator Kelly—  
Senate Bill No. 922:

A bill to be entitled An Act to amend Section 5971 of the Compiled General Laws of Florida, 1927, same being Section 1 of Chapter 7933, Laws of Florida, Acts of 1919, same being entitled "An Act to authorize any corporation to sell and convey all its property and property rights, privileges, franchises, easements and rights of way, and to authorize any corporation to purchase the same; the method, manner, conditions necessary in making such sale or purchase, and payment to any dissenting stockholder," relating to the right of corporations to sell property.

Which was read the first time by title only and referred to the Committee on Corporations.

By Senator Sharit—  
Senate Bill No. 923:

A bill to be entitled An Act to authorize, ratify, confirm and validate the purchase, ownership, holding, operating, leasing, selling or otherwise disposing of a dock by the City of Port St. Joe, Florida, and the issuance for the purpose of the purchase thereof of certain bonds of said city.

Which was read the first time by title only and placed on the Calendar of Local Bills on second reading.

By Senator Beacham—  
Senate Bill No. 924:

A bill to be entitled An Act creating a delinquent tax adjustment board in each county and providing for the organization thereof; authorizing said board to adjust or compromise with the owner of real estate located within any drainage district of this state except the Everglades Drainage District that has been sold for State and County taxes, all State and County tax sale certificates held by the State against such real estate and issued by virtue of any sale for State and County taxes assessed for 1936 or any previous years, prescribing the form of applications for relief under this Act; and fixing the fee of the Clerk of the Circuit court for the redemption, or assignment of, adjusted, or compromised tax sale certificates.

Which was read the first time by title only and referred to the Committee on Drainage.

By Senator Wynn—  
Senate Bill No. 925:

A bill to be entitled An Act authorizing and requiring the County Commissioners of Jackson County, Florida, to convert, apportion and pay over to the County School Fund of said county one-half of all monies received by said county under the provisions of and resulting from Chapter 14,832, Laws of Florida, or from any other Act relating to or providing for the distribution and apportionment among the several counties of the State of monies derived from the operation of race tracks in the State; and providing for the use of said money by the Board of Public Instruction of said county.

The following proof of publication was attached to Senate Bill No. 925 when it was introduced in the Senate:

#### NOTICE OF INTENTION TO APPLY FOR PASSAGE OF LOCAL LAW

NOTICE IS HEREBY GIVEN, That the Board of Public Instruction for Jackson County, Florida, intends to apply to the Legislature of the State of Florida, at the 1937 Session for the passage of a local law. The substance of such local law is to authorize and require the County Commissioners of Jackson County, Florida, to convert, apportion and pay over to the County School Fund one-half of all monies received by said County under the provisions of and resulting from Chapter 14,832, Laws of Florida, or from any other Act relating to or providing for the distribution and apportionment among the several Counties of the State of monies derived from the operation of race tracks in the State, and to provide that said monies shall become a part of the County School Fund and be used and disbursed according to the provisions of law relating to the disbursement of the County School Fund.

This April 7, 1937.

THE BOARD OF PUBLIC INSTRUCTION FOR THE  
COUNTY OF JACKSON, STATE OF FLORIDA.

By F. M. GOLSON, Chairman.

Attest:

C. P. FINLAYSON,  
Superintendent and Secretary.

STATE OF FLORIDA, )  
COUNTY OF JACKSON.)

Before the undersigned authority personally appeared John C. Winslett, who on oath does solemnly swear that he has knowledge of the matters stated herein; that a notice stating the substance of a contemplated law or proposed bill relating to authorizing and requiring the County Commissioners of Jackson County, Florida, to convert, apportion and pay over to the County School Fund of said County one-half of all monies received by said County under the provisions of and resulting from Chapter 14,832, Laws of Florida, or from any other Act relating to or providing for the distribution and apportionment among the several Counties of the State of Florida monies derived from the operation of race tracks in the State; and providing for the use of said money by the Board of Public Instruction of said County, has been published at least thirty days prior to this date by being printed in the issues of April 9, April 16, April 23, April 30, and May 7, May 14, 1937, of The Jackson County Floridian, a newspaper published in Jackson County, Florida, that a copy of the notice that has been published as aforesaid, and also this affidavit of Proof of Publication, are attached to the proposed bill or contemplated law, and such copy of the notice so attached is by reference made a part of this affidavit.

JOHN C. WINSLETT.

Sworn to and subscribed before me this 17th day of May,  
A. D. 1937.

(Seal)

G. D. BOWERS,  
Notary Public, State of  
Florida at Large.

My Commission expires Aug. 19, 1938.

Which was read the first time by title only and placed on the Calendar of Local Bills on second reading.

By Senator Dugger—  
Senate Bill No. 926:

A bill to be entitled An Act authorizing the counties and the State Road Department to protect public roads against the intrusion of live stock.

Which was read the first time by title only and referred to the Committee on Public Roads and Highways.

By Senator Beacham—  
Senate Bill No. 927:

A bill to be entitled An Act fixing the salaries of the Court Reporters of Criminal Courts of Record in counties having a population of not less than 51,000 nor more than 61,000 by the last census of such county whether made by the State or Federal government.

Which was read the first time by title only and placed on the Calendar of Local Bills on second reading.

By Senator Rose—  
Senate Bill No. 928:

A bill to be entitled An Act to amend Chapter 16170, Laws of Florida, 1933, entitled "An Act relating to the establishment and maintenance of a uniform system of free public schools in the State of Florida; creating a teachers salary fund of each county of the State; authorizing the State Board of Education to fix the maximum salary of teachers in the public free schools of the State payable out of the teachers salary fund of the several counties; defining the supervising powers and duties of the State Board of Education over schools of higher grades, and defining what shall constitute schools of higher grades within the meaning of this Act; authorizing the State Board of Education to fix and determine the establishment, classification and character of all schools of higher grades which shall receive State aid and to determine the course of study therein and to prescribe for the division of such schools into groups when deemed advisable and to prescribe the minimum size for classes therein and to provide for the employment of assistants to the State Superintendent of Public Instruction and to prescribe duties of and fix the compensation of such assistants, and to provide for a uniform system of accounting, budgets, records, audits and reports by County Boards of Public Instruction and County Budget Commission, and to have certain powers with reference to transportation of pupils including equipment of vehicles and qualification of drivers, and to have powers of examination, supervision and revision of school budgets in counties not levying a certain millage for school purposes; prescribing certain additional duties of the State Treasurer and State Superintendent

ent of Public Instruction; providing that title to all property held for educational purposes by trustees of Special Tax School Districts in any county shall be vested in the Board of Public Instruction for said county; providing that the State Treasurer shall be ex-officio treasurer and depository of a designated portion of the county school fund of each county and providing the manner, and for what purposes said funds so held by the State Treasurer may be expended; abolishing the positions of State Supervisor of High Schools, the position of State Supervisor of Physical and Health Education, the positions of Rural School Inspectors, the position of Director of Buildings and Building Standards and to provide the penalties for violation of this Act; and repealing all laws creating and providing for the positions so abolished, and repealing all laws or parts thereof in conflict with this Act," so that all funds for the maintenance and operation of the free public school system shall be furnished by the State of Florida, except the minimum levies required by the Constitution, to be apportioned among the counties as provided by law, regulating school budgets and providing for payment of said funds deposited with the State Treasurer as the ex-officio county school treasurer.

Which was read the first time by title only and referred to the Committee on Education.

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following message from the House of Representatives was received and read:

Tallahassee, Fla., May 19, 1937.

*Hon. D. Stuart Gillis,*  
*President of the Senate.*

*Sir:*

I am directed by the House of Representatives to inform the Senate that after recalling House Memorial No. 10 from the Senate for the purpose of further consideration, the House of Representatives has failed to reconsider the vote by which it passed the Memorial and again transmits to the Senate for its consideration:

House Memorial No. 10:

WHEREAS, agriculture is one of the most important industries of the State of Florida, and

WHEREAS, the growing of cigar leaf tobacco is an important part of the agriculture of this State, and

WHEREAS, the cheap competition of this product in the markets is the cigar leaf tobacco imported from Cuba and the East Indies which is produced by labor which has a standard of living so low that the production of these countries can be sold much cheaper than American products produced under the American standard of living unless the American product is given ample protection in the form of tariff, and

WHEREAS, the continuation and development of the tobacco growing industry in the State of Florida is of vital importance to the State and furnishes employment to large numbers of farm laborers as well as large numbers of laborers in the packing and processing plants.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF FLORIDA:

That the PRESIDENT and the CONGRESS of the United States are hereby memorialized to enact such laws and promulgate and enforce such regulations as will afford ample tariff protection to the American growers, packers and shippers of cigar leaf tobacco and such protection as will enable them to maintain the American standard of living and at the same time compete with the foreign producers of these commodities.

That the Secretary of State of the United States, the Secretary of Agriculture of the United States and the Secretary of Commerce of the United States and the United States Tariff Commission are urged to take such action as to effectuate these results.

That the Secretary of State of the State of Florida is hereby directed to transmit a copy of this memorial, under the Great Seal of the State, to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, to the Secretary of State of the United States, to the Secretary of Agriculture of the United States, to the Secretary of Commerce of the United States, to the Chairman and each member of the United States Tariff Commission, and to each member of the Florida Delegation in the Congress of the United States.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

J. A. CAWTHON,

Chief Clerk House of Representatives.

And House Memorial No. 10, contained in the above message, was re-referred to the Committee on Rules and Calendar.

#### CONSIDERATION OF OTHER RESOLUTIONS

Senate Concurrent Resolution No. 18 was taken up in its order and the consideration thereof was informally passed.

#### ORDER OF THE DAY

Pursuant to the motion made by Senator Westbrook, as Chairman of the Committee on Rules and Calendar, the following bills were taken up for consideration by the Senate as Special and Continuing Orders:

Senate Bills Nos. 413, 726, 533, 431, 617 and 843 were taken up and the consideration thereof was informally passed.

House Bill No. 956:

A bill to be entitled An Act relating to the operation and maintenance of the public free schools of the State of Florida, providing for the establishment of a budget system for county boards of public instruction; prescribing the methods of preparing and adopting budgets, levying taxes, making expenditures and accounting for county and special tax school district funds; and prescribing penalties for the violation of this Act, and providing for the repeal of all laws in conflict with this Act.

Was taken up and read the second time in full.

Senator Kanner moved that the rules be waived and the further consideration of House Bill No. 956 be informally passed, the bill retaining its place on the Calendar of Bills on second reading.

Which was agreed to by a two-thirds vote and it was so ordered.

House Bill No. 955:

A bill to be entitled An Act relating to education in the public free schools of Florida, providing for the State to furnish free textbooks adopted for use in the public free elementary and high schools, providing for the appointment of a Course of Study Committee, a Textbook Rating Committee and special committees on elementary or high school levels, and prescribing the qualifications of the members of the respective committees, their terms of employment, duties and compensation, prescribing the duties of the State Superintendent of Public Instruction and State Board of Education in relation to these committees and with respect to the purpose of this Act, designating the Board of Commissioners of State Institutions as the textbook purchasing board and prescribing its duties, prescribing the minimum term for which the State may adopt textbooks for use in the public free schools, and making it unlawful not to use State-adopted textbooks in the public free schools, prescribing the duties of the county boards of public instruction, county superintendents of public instruction, teachers and pupils concerning the use and care of the free textbooks, prescribing a penalty for school officers or employees dealing in textbooks, and levying a tax to provide funds to carry out the provisions of this Act.

Was taken up and read the second time in full.

Senator Kanner moved that the rules be waived and House Bill No. 955 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 955 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Butler, Dame, Dugger, Graham, Harper, Hinely, Holland, Johns, Kanner, Kelly, Kendrick, McArthur, Murphy, Parker, Parrish, Rose, Sharit, Smith, Sweger, Walker, Westbrook, Wynn—24.

Nays—None.

So the bill passed, title as stated, and the action of the Senate was ordered to be certified to the House of Representatives.

The President now presiding.

Senator Kelly moved that the President appoint a committee to escort Honorable J. A. Hendley, former member of



the Senate from the 9th Senatorial District, to a seat on the rostrum of the Senate.

Which was agreed to and the President appointed Senators Kelly, Butler and Clarke as the committee.

#### Senate Bill No. 296:

A bill to be entitled An Act to authorize and direct the State Superintendent of Public Instruction to prepare a proposed revision and codification of the Laws of Florida relating to education; to authorize the appointment of a Special Legislative Committee on Revision and Codification of School Laws, to receive the report and proposals of the State Superintendent of Public Instruction when completed and not later than February 1, 1939; to authorize compensation and expenses of this committee as an item of legislative expense; and to provide for this committee to examine the proposed revision and codification of school laws as submitted by the State Superintendent of Public Instruction and to make its report and recommendations to the Legislature at its next biennial Session.

Was taken up and read the second time in full.

Senator Kanner moved that the rules be waived and Senate Bill No. 296 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 296 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Butler, Clarke, Dame, Dugger, Gomez, Graham, Harper, Hinely, Holland, Johns, Kanner, Kelly, Kendrick, McArthur, McKenzie, Murphy, Parker, Parrish, Rose, Sharit, Smith, Sweger, Tillman, Walker, Westbrook, Wynn—28.

Nays—None.

So the bill passed, title as stated, and the action of the Senate was ordered to be certified to the House of Representatives.

Senator Tillman moved that a committee be appointed to escort Honorable W. L. Hill, former member of the United States Senate, to a seat on the rostrum of the Senate.

Which was agreed to.

And the President appointed Senators Tillman, Hinely and Butler as the Committee.

Senator Adams moved that a committee be appointed to escort Honorable Claude Pepper, United States Senator, to a seat on the rostrum of the Senate.

Which was agreed to.

And the President appointed Senators Adams, McKenzie and Kelly as the Committee.

#### Senate Bill No. 411:

A bill to be entitled An Act relating to the operation of the public free schools of Florida, requiring all persons engaged in an administrative, supervisory, or instructional capacity in any public school system in the State, including County Superintendents of Public Instruction, to hold certificates issued by the State of Florida, prescribing conditions under which such certificates may be issued, extended, renewed and revoked, authorizing the State Board of Education to require certificates of bus drivers and persons keeping school financial records, prescribing fees for certificates, requiring the State Superintendent of Public Instruction to maintain and furnish lists of certificated teachers.

Was taken up in its order.

Pending second reading of Senate Bill No. 411 Senator Murphy moved that the time of adjournment be extended until such time as the consideration of Senate Bill 411 be completed.

Which was not agreed to.

Pending second reading of Senate Bill No. 411, the hour of adjournment having arrived a point of order was called and the Senate took a recess at 1:00 o'clock P. M., until 2:30 o'clock P. M., this day.

### AFTERNOON SESSION

The Senate reconvened at 2:30 o'clock P. M. pursuant to recess order.

The President in the Chair.

The roll was called and the following Senators answered to their names:

Mr. President; Senators Adams, Beacham, Beall, Butler,

Clarke, Dame, Dugger, Gomez, Graham, Harper, Hinely, Hodges, Holland, Johns, Kanner, Kelly, Kendrick, McArthur, McKenzie, Mapoles, Murphy, Nordman, Parker, Parrish, Rose, Savage, Sharit, Smith, Sweger, Tervin, Tillman, Walker, Westbrook, Wynn—35.

A quorum present.

Senator Hodges moved that Senate Bill No. 877 be withdrawn from the Committee on Miscellaneous and referred to the Committee on Appropriations.

Which was agreed to and it was so ordered.

Senator Westbrook moved that the rules be waived and the Senate do now take up and consider Senate Bill No. 887, out of its order, at this time.

Which was agreed to by a two-thirds vote.

#### Senate Bill No. 887:

A bill to be entitled An Act ratifying, confirming, validating and legalizing all acts and proceedings of the Board of County Commissioners of Volusia County, Florida, and/or the County Commissioner of District No. 4, of said county, their agents, servants, and employees heretofore done and taken in connection with the improvement and repair of that certain County Bridge in Volusia County, Florida, known as, "Main Street Bridge," spanning the Halifax River between the Easterly terminus of Fairview Avenue and the Westerly terminus of Main Street, as the same are known and laid out, situated in County Commissioners District No. 4, of said county and the purchasing, taking, accepting, receiving, using and utilizing of lumber and nails furnished by and received from Meachen-Willis Lumber Co., a corporation organized and existing under the Laws of the State of Florida, of the aggregate value of \$6,338.03, and in pursuance of which said improvement and repair of the aforesaid bridge, said county received from said company, materials of an aggregate value of \$6,338.03, which said debt said county now owes said company, and to legalize the obligation of said debt and to authorize and empower said county to pay said debt to said company and to levy and collect a tax for such purpose.

Was taken up and read the second time in full.

Senator Westbrook moved that the rules be waived and Senate Bill No. 887 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 887 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Dame, Dugger, Gomez, Graham, Harper, Hodges, Holland, Johns, Kanner, Kendrick, McKenzie, Parker, Parrish, Rose, Sharit, Sweger, Tillman, Walker, Westbrook—21.

Nays—None.

So the bill passed, title as stated, and the action of the Senate was ordered to be certified to the House of Representatives.

#### Senate Bill No. 411:

A bill to be entitled An Act relating to the operation of the public free schools of Florida, requiring all persons engaged in an administrative, supervisory, or instructional capacity in any public school system in the State, including County Superintendents of Public Instruction, to hold certificates issued by the State of Florida, prescribing conditions under which such certificates may be issued, extended, renewed and revoked, authorizing the State Board of Education to require certificates of bus drivers and persons keeping school financial records, prescribing fees for certificates, requiring the State Superintendent of Public Instruction to maintain and furnish lists of certificated teachers.

Which was pending second reading at the hour of recess, was taken up in its order and read the second time in full.

Senator Kanner moved that the rules be waived and the further consideration of Senate Bill No. 411 be informally passed, the bill retaining its place on the Calendar of Bills on second reading.

Which was agreed to by a two-thirds vote and it was so ordered.

Senate Bill No. 710 was taken up in its order and the consideration thereof was informally passed.

#### Senate Bill No. 709:

A bill to be entitled An Act relating to the operation and maintenance of the public free schools of Florida, defining

and distinguishing between the powers, duties and responsibilities of County Boards of Public Instruction, of County Superintendents of Public Instruction, and of trustees of Special Tax School Districts.

Was taken up in its order and read the second time in full.

Senator Kanner moved that the rules be waived and Senate Bill No. 709 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 709 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Senators Adams, Clarke, Dame, Dugger, Gomez, Graham, Harper, Hinely, Hodges, Holland, Kanner, Kelly, Kendrick, McArthur, Mapoles, Murphy, Parker, Parrish, Rose, Sharit, Tervin, Tillman, Walker, Westbrook, Wynn—25.

Nays—Senator Johns—1.

So the bill passed, title as stated, and the action of the Senate was ordered to be certified to the House of Representatives.

Senator Adams now presiding.

Senator Kelly moved that Senate Bill No. 832 be recalled from the House of Representatives.

Which was agreed to and it was so ordered.

Senator Kelly moved that the Senate reconsider the vote by which Senate Bill No. 832 passed the Senate on May 18, 1937.

And the motion went over under the rule.

Senator Westbrook moved that a committee be appointed to escort Honorable T. G. Futch, former member and President of the Senate from the 23rd Senatorial District, and Honorable Pat Whitaker, former member and President of the Senate from the 34th Senatorial District to a seat on the rostrum of the Senate.

Which was agreed to and the President appointed Senators Westbrook, Parker and Kelly as the committee.

Senator Kanner moved that the rules be waived and the Senate do now take up and consider House Bill No. 956, out of its order, at this time.

Which was agreed to by a two-thirds vote.

House Bill No. 956:

A bill to be entitled An Act relating to the operation and maintenance of the public free schools of the State of Florida, providing for the establishment of a budget system for county boards of public instruction; prescribing the methods of preparing and adopting budgets, levying taxes, making expenditures and accounting for county and special tax school district funds; and prescribing penalties for the violation of this Act, and providing for the repeal of all laws in conflict with this Act.

Was taken up, having been read the second time in full this day.

Senator Holland offered the following amendment to House Bill No. 956:

Strike out all of Section 22 of the (typewritten engrossed bill) and insert in lieu thereof the following:

Section 22. PETTY CASH FUNDS. The County Superintendent of Public Instruction shall be allowed not to exceed Fifty Dollars, and the principal of a school not to exceed Twenty-five Dollars as a petty cash fund from which to make needed expenditures for school purposes in emergencies. Each petty cash fund established shall be managed by and charged to a single designated person. The funds shall be kept separate from all other funds, itemized receipts shall be taken for each expenditure, and a complete report made at the end of the year or when the account is closed. A statement of expenditures shall be made from time to time to the County Board of Public Instruction, and the said county board shall reimburse the funds as often as it deems necessary. The funds shall be used only for regular and legal expense of the schools, and no part of any such fund may be loaned or advanced against the salary of an employee.

Senator Holland moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Butler offered the following amendment to House Bill No. 956:

In Section 27, line 6 (typewritten bill), after the word "re-

pealed" add the following: "Provided, however, that nothing herein contained shall be construed to repeal any of the provisions of Chapter 15,895, Laws of Florida, Acts of 1933, or Chapter 14,678, Laws of Florida, Acts of 1931, and acts amendatory thereof."

Senator Butler moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Kanner moved that the rules be waived and House Bill No. 956, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 956, as amended, was read the third time in full.

Upon the passage of the bill, as amended, the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Butler, Clarke, Dame, Dugger, Gomez, Graham, Harper, Hinely, Hodges, Holland, Johns, Kanner, Kelly, Kendrick, McArthur, Mapoles, Murphy, Parker, Parrish, Rose, Sharit, Smith, Westbrook, Wynn—27.

Nays—None.

So the bill passed, as amended, and the action of the Senate was ordered to be certified to the House of Representatives.

Senator Westbrook moved that Senate Bill No. 135, as enrolled be recalled from the Governor's office.

Which was agreed to and it was so ordered.

The President now presiding.

Senator Kanner moved that the rules be waived and the Senate do now take up and consider Senate Bill No. 710, out of its order, at this time.

Which was agreed to by a two-thirds vote.

Senate Bill No. 710:

A bill to be entitled An Act relating to the public free schools of the State of Florida, requiring the regular attendance of children during the entire school term, providing for exemptions from attendance, making parents and guardians responsible for attendance of children, prescribing the duties of the Board of Public Instruction, the County Superintendent of Public Instruction and attendance assistants of the several counties and the principals and teachers in charge of all public free schools in the State and the person in charge of the Florida State School for the Deaf and Blind, requiring private, parochial and denominational schools and private tutors to keep records and to make reports, prescribing the terms, duties and compensation of attendance assistants, authorizing attendance assistants to inspect establishments where minors may be employed or detained, prescribing court procedure for enforcing this Act, authorizing the State Board of Education to promulgate rules and regulations, prescribing the duties of the State Board of Education and the State Superintendent of Public Instruction, and prescribing penalties for the violation of this Act.

Was taken up and read the second time in full.

Senator Kanner moved that the rules be waived and Senate Bill No. 710 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 710 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Butler, Clarke, Dame, Dugger, Gomez, Graham, Harper, Hinely, Hodges, Holland, Kanner, Kelly, Kendrick, McArthur, Mapoles, Murphy, Parrish, Rose, Smith, Sweger, Tervin, Tillman, Walker, Westbrook, Wynn—28.

Nays—Senators Johns and Parker—2.

So the bill passed, title as stated, and the action of the Senate was ordered to be certified to the House of Representatives.

Senator Hodges moved that a committee be appointed to escort Napoleon Bonaparte Broward, son of a former Governor of Florida, to a seat on the rostrum of the Senate.

Which was agreed to, and the President appointed Senators Hodges, Butler and Holland as the committee.

Senate Bill No. 548 was taken up in its order and the consideration thereof was informally passed.

Senator Parrish moved that the rules be waived and the

Senate do now take up and consider Senate Bills Nos. 636, 589 and 95, out of their order, at this time.

Which was agreed to by a two-thirds vote.

Senate Bill No. 636:

A bill to be entitled An Act defining agricultural insecticides and fungicides and providing certain regulations pertaining to the manufacturing and selling of same; defining certain terms and words used in this Act; providing for the labelling and prohibiting the misbranding of certain insecticides and fungicides; providing for the registration and licensing of the manufacturers or sellers of said products and for the registration of said products; providing for the taking and analysis of samples and reporting thereon; providing for enforcement of the Act and for license and registration fees to cover the expenses of said enforcement; providing for the duties of the Commissioner of Agriculture and the State Chemist in connection with enforcing the provisions of this Act; describing violations of the Act and fixing penalties for same.

Was taken up and read the second time in full.

Senator Westbrook moved that the rules be waived and Senate Bill No. 636 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 636 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Butler, Clarke, Dame, Dugger, Gomez, Graham, Harper, Hinely, Hodges, Holland, Johns, Kanner, Kendrick, McArthur, McKenzie, Mapoles, Murphy, Parker, Parrish, Rose, Sharit, Sweger, Westbrook, Wynn—27.

Nays—None.

So the bill passed, title as stated, and the action of the Senate was ordered to be certified to the House of Representatives.

Senate Bill No. 589:

A bill to be entitled An Act making it a crime to enter any farm, garden, orchard or fruit grove with intent to commit an offense therein, and providing for the punishment of any person violating the act if he be armed or commit an assault, and providing for the punishment of any violator who is not armed and does not commit an assault.

Was taken up and read the second time in full.

Senator Parrish moved that the rules be waived and Senate Bill No. 589 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 589 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Butler, Clarke, Dame, Dugger, Gomez, Graham, Harper, Hinely, Hodges, Holland, Johns, Kanner, Kelly, Kendrick, McArthur, McKenzie, Mapoles, Murphy, Parker, Parrish, Rose, Sharit, Sweger, Westbrook, Wynn—28.

Nays—None.

So the bill passed, title as stated, and the action of the Senate was ordered to be certified to the House of Representatives.

Senator Wynn now presiding.

Senate Bill No. 95:

A bill to be entitled An Act relating to the purchase and handling of citrus fruit and providing penalties for the violation of the same.

Was taken up and read the second time in full.

Senator Westbrook moved that the rules be waived and Senate Bill No. 95 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 95 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Butler, Clarke, Dame, Dugger, Gomez, Graham, Harper, Hinely, Hodges, Holland, Johns, Kanner, Kelly, Kendrick, McArthur,

McKenzie, Mapoles, Murphy, Parker, Parrish, Rose, Sharit, Sweger, Tillman, Walker, Westbrook, Wynn—30.

Nays—None.

So the bill passed, title as stated, and the action of the Senate was ordered to be certified to the House of Representatives.

Senator Parrish moved that the rules be waived and the Senate do now take up and consider Senate Bill No. 420, out of its order, at this time.

Which was agreed to by a two-thirds vote.

Senate Bill No. 420:

A bill to be entitled An Act providing for the classification and grading of avocados and regulating the sale of same; providing for the marking or imprinting of certain matters thereon and relating to the purchase, handling, sale and accounting of sales of avocados sold in the State of Florida to prevent fraud and deception therein; to provide for the licensing and bonding of avocado wholesalers; to prescribe certain powers and duties of the Commissioner of Agriculture of the State of Florida in the administration and enforcement of this Act; to provide for certain charges, fees and assessments and the collection thereof; the appointment and duties of certain inspectors and the salaries thereof, and to prescribe and provide certain penalties for the violation of the provisions of this Act and any rule, regulation or order promulgated thereunder.

Was taken up and read the second time in full.

Senator Graham offered the following amendment to Senate Bill No. 420:

In Section 6, line 3 (typewritten bill), strike out the words: "and/or any person who shall make the first direct sale of the fruit."

Senator Graham moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Graham also offered the following amendment to Senate Bill No. 420:

In Section 20, line 20 (typewritten bill), strike out the words: "However, nothing in this Act shall prevent the shipment to points outside of the State of Florida of any avocados, and the above provisions are specifically designed to apply only to avocados intended for sale within the State of Florida."

Senator Graham moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Parrish moved that the rules be waived and Senate Bill No. 420, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 420, as amended, was read the third time in full.

Upon the passage of the bill, as amended, the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Butler, Clarke, Dame, Dugger, Gomez, Graham, Harper, Hinely, Hodges, Holland, Johns, Kanner, Kelly, Kendrick, McArthur, McKenzie, Mapoles, Murphy, Parker, Parrish, Rose, Sharit, Sweger, Tervin, Tillman, Walker, Westbrook, Wynn—31.

Nays—None.

So the bill passed, as amended, and was referred to the Committee on Engrossed Bills.

Senator Adams moved that the rules be waived and the Senate do now take up and consider Senate Bill No. 76, out of its order, at this time.

Which was agreed to by a two-thirds vote.

Senate Bill No. 76:

A bill to be entitled An Act to provide for the incontestability of life insurance policies for certain causes after one year from their issuance.

Was taken up and read the second time in full.

The Committee on Insurance offered the following amendment to Senate Bill No. 76:

In Title strike out the words "for certain causes after one year from their issuance."

Senator Adams moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Insurance also offered the following amendment to Senate Bill No. 76:

In Section 1, line 7, of the (typewritten bill), strike out the remainder of Section 1 following the word "shall" and insert in lieu thereof the following: "be incontestable after it shall have been in force during the life-time of the insured for not more than two years from its date, except for non-payment of premiums and except for violations of the policy relating to the naval or military service in time of war, and, at the option of the company, provisions relative to benefits in the event of total and permanent disability and provisions which grant additional insurance specifically against death by accident may also be excepted."

Senator Adams moved the adoption of the amendment.

Pending adoption of the foregoing amendment Senator Beall offered the following amendment to the amendment offered by the Committee on Insurance to Senate Bill No. 76:

In the Committee amendment to Section 1 of the bill, strike out the words "not more than" where such words appear in the first part of the amendment offered by the committee.

Senator Adams moved the adoption of the amendment to the amendment.

Which was agreed to and the amendment, as amended, to the amendment was adopted.

The question recurred on the adoption of the amendment offered by the Committee on Insurance, as amended, to Senate Bill No. 76.

Which was agreed to, and the amendment was adopted.

Senator Adams moved that the rules be waived and Senate Bill No. 76, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 76, as amended, was read the third time in full.

Upon the passage of the bill, as amended, the roll was called and the vote was:

Yeas—Senators Adams, Beacham, Beall, Butler, Clarke, Dame, Dugger, Gomez, Graham, Harper, Hinely, Hodges, Holland, Johns, Kanner, Kelly, Kendrick, McArthur, McKenzie, Mapoles, Murphy, Parker, Rose, Sharit, Sweger, Tervin, Tillman, Walker, Westbrook, Wynn—30.

Nays—None.

So the bill passed, as amended, and was referred to the Committee on Engrossed Bills.

Senator Rose moved that the Presiding Officer appoint a committee to escort Honorable M. O. Overstreet, former member of the Senate from the 19th Senatorial District, to a seat on the rostrum of the Senate.

Which was agreed to and the Presiding Officer appointed Senators Rose, Kelly and Westbrook as the committee.

Senator Holland moved that the rules be waived and the Senate do now take up and consider Senate Bill No. 651, out of its order, at this time.

Which was agreed to by a two-thirds vote.

Senate Bill No. 651:

A bill to be entitled An Act to declare the necessity of establishing "Soil Conservation Districts"; to engage in conserving soil resources and preventing and controlling soil erosion; to establish the State Soil Conservation Committee, and to define its powers and duties; to provide for the establishment of Soil Conservation Districts; to define the powers and duties of Soil Conservation Districts, and to provide for the exercise of such powers, including the power to acquire property by purchase, gift, and otherwise; to empower such districts to adopt programs and regulations for the discontinuance of land-use practices contributing to soil wastage and soil erosion, and the adoption and carrying out of soil-conserving land-use practices, and to provide for the enforcement of such programs and regulations; to provide for the establishment of Boards of Adjustment in connection with land-use regulations, and to define their functions and powers; to provide for discontinuance of such Soil Conservation Districts, and for other purposes.

Was taken up and read the second time in full.

Senator Holland moved that the rules be waived and Senate Bill No. 651 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 651 was read the third time in full. Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Clarke, Dame, Dugger, Gomez, Graham, Harper, Hinely, Hodges, Holland, Johns, Kendrick, McArthur, McKenzie, Mapoles, Murphy, Parker, Parrish, Rose, Sharit, Sweger, Tervin, Tillman, Walker, Westbrook, Wynn—29.

Nays—None.

So the bill passed, title as stated, and the action of the Senate was ordered to be certified to the House of Representatives.

The President now presiding.

Senator Beacham moved that the rules be waived and the Senate do now take up and consider Senate Bill No. 744, out of its order, at this time.

Which was agreed to by a two-thirds vote.

Senate Bill No. 744:

A bill to be entitled An Act amending Section 4339 of the Revised General Statutes of Florida, 1920, as amended by Chapter 12321, Laws of Florida, Acts of 1927, relating to the requirements to do business in the State of surety companies.

Was taken up and read the second time in full.

Senator Beacham moved that the rules be waived and Senate Bill No. 744 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 744 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Butler, Clarke, Dame, Dugger, Graham, Hinely, Hodges, Holland, Johns, Kelly, Kendrick, McArthur, McKenzie, Mapoles, Murphy, Parker, Parrish, Rose, Sharit, Sweger, Tervin, Tillman, Walker, Westbrook, Wynn—29.

Nays—None.

So the bill passed, title as stated, and the action of the Senate was ordered to be certified to the House of Representatives.

Senator Johns moved that the rules be waived and the Senate do now take up and consider Senate Bill No. 511, out of its order, at this time.

Which was agreed to by a two-thirds vote.

Senate Bill No. 511:

A bill to be entitled An Act to require any railroad company or railroad corporation operating or doing business in the State of Florida to grant to any regular employee who shall be elected or appointed to any Federal, State, County or Municipal office or position, a leave of absence for such period of time that such employee holds or occupies such office or position, without loss of impairment or prejudice to the seniority rank of such employee; to provide for actions for damages by any such employee against such railroad company or railroad corporation for salaries or wages lost by refusal to reinstate such employee upon the termination of such service of Federal, State, County or Municipal office or position; and to provide penalties for the violation thereof.

Was taken up and read the second time in full.

Senator Johns offered the following amendment to Senate Bill No. 511:

In Section 1, line 1, (typewritten bill) after the word "employee" add a comma and the following words "holding contractual relationship."

Senator Johns moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Johns moved that the rules be waived and Senate Bill No. 511, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 511, as amended, was read the third time in full.

Upon the passage of the bill, as amended, the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Butler, Clarke, Dame, Dugger, Gomez, Graham, Harper, Hinely, Hodges, Johns, Kanner, Kelly, Kendrick, McArthur, Mc-

Kenzie, Mapoles, Murphy, Parker, Parrish, Rose, Sharit, Sweger, Tervin, Tillman, Walker, Westbrook, Wynn—31.

Nays—None.

So the bill passed, as amended, and was referred to the Committee on Engrossed Bills.

Senator Tillman moved that the rules be waived and the Senate do now take up and consider Senate Bill No. 591, out of its order, at this time.

Which was agreed to by a two-thirds vote.

Senate Bill No. 591:

A bill to be entitled An Act to erect a Memorial to Honorable Duncan U. Fletcher; creating a commission for such purpose, and outlining its powers and duties; making an appropriation therefor; and authorizing said commission to solicit and receive contributions to match funds appropriated by this Act.

Was taken up and read the second time in full.

Senator Tillman moved that the rules be waived and Senate Bill No. 591 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 591 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Butler, Clarke, Dame, Dugger, Gomez, Graham, Harper, Hinely, Hodges, Holland, Johns, Kanner, Kelly, Kendrick, McArthur, McKenzie, Mapoles, Murphy, Parker, Parrish, Rose, Sharit, Smith, Tervin, Tillman, Walker, Westbrook, Wynn—32.

Nays—None.

So the bill passed, title as stated, and the action of the Senate was ordered to be certified to the House of Representatives.

The following message from the Governor was received:

STATE OF FLORIDA  
EXECUTIVE DEPARTMENT  
TALLAHASSEE  
May 19, 1937

Honorable D. Stuart Gillis,  
President of the Senate,  
Tallahassee, Florida.

Sir:

Complying with the request of the Senate, I am returning Senate Bill No. 135, so that an error made in enrolling same may be corrected.

Respectfully yours,  
FRED P. CONE,  
Governor.

By permission, the following Reports of Committees were received:

Senator Holland, Chairman of the Committee on Judiciary "A," submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 19, 1937.

Hon. D. Stuart Gillis,  
President of the Senate.  
Sir:

Your Committee on Judiciary "A," to whom was referred:

Senate Bill No. 835:

A bill to be entitled An Act to amend Chapter 12223, Laws of Florida, 1927, being "An Act to define, regulate and register real estate brokers and real estate salesmen, and to regulate their relations with the public; to create the Florida Real Estate Commission, provide for its organization, succession and the payment of its expenses, prescribe its powers, duties and privileges, and the supervisory control by, and ancillary powers of, the court touching the subject; and to prescribe penalties for the violation of the Act."

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,  
S. L. HOLLAND,  
Chairman of Committee.

And Senate Bill No. 835, contained in the above report, was placed on the Calendar of Bills on second reading.

#### REPORT OF ENROLLING COMMITTEE

Senator McKenzie, Chairman of the Joint Committee on Enrolled Bills on the part of the Senate, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 19, 1937.

Hon. D. Stuart Gillis,  
President of the Senate.

Sir:

Your Joint Committee on Enrolled Bills, to whom was referred:

Senate Bill No. 26:

A bill to be entitled An Act making it a Penal Offense for one to Practice Law either directly or indirectly who has been disbarred or under suspension from the practice of law, and for an attorney at law to aid or assist either directly or indirectly in the practice of law one who has been disbarred or under suspension from the practice of law, and fixing the punishment therefor.

Also—

Senate Bill No. 156:

A bill to be entitled An Act relating to the liability of an owner or operator of a motor vehicle to a guest or passenger transported without payment therefor.

Also—

Senate Bill No. 632:

A bill to be entitled An Act to abolish the present municipality of the City of Tampa Shores, Pinellas County, Florida, and to create and establish a municipality to be known as the City of Oldsmar, in Pinellas County, Florida; to legalize and validate the ordinances of said City of Tampa Shores and official acts thereunder; and to adopt the same as the ordinances of said City of Oldsmar; to validate the contracts of the said City of Tampa Shores and official act thereunder; and to adopt all of said ordinances and official acts of said City of Tampa Shores which are not to conflict with this Act; to provide a charter for said City of Oldsmar; to define its territorial limits; provide for its government; to regulate the bringing of suits against said city and providing for notice thereof; to prescribe the jurisdiction and powers of the said City of Oldsmar; and repealing Chapter 14426 of the Special Acts of 1929 of the Laws of Florida.

Have examined the same and find them correctly enrolled.

The same having been duly signed by the Speaker and Chief Clerk of the House of Representatives, we herewith present the same for the signature of the President and Secretary of the Senate.

Very respectfully,

H. S. MCKENZIE,  
Chairman of the Joint Committee on Enrolled  
Bills on the Part of the Senate.

The bills contained in the above report were thereupon duly signed by the President and Secretary of the Senate in open Session and ordered referred to the Joint Committee on Enrolled Bills on the part of the Senate, to be conveyed to the Governor for his approval.

Senator McKenzie, Chairman of the Joint Committee on Enrolled Bills on the part of the Senate, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 19, 1937.

Hon. D. Stuart Gillis,  
President of the Senate.  
Sir:

Your Joint Committee on Enrolled Bills, to whom was referred:

Senate Concurrent Resolution No. 10:

A Senate Concurrent Resolution providing for the appointment of a committee consisting of five members of the Senate and five members of the House and the Chairman of the State Road Department to study the road system of the State of Florida and report to the 1939 Session of the Legislature a rational plan for future road programs, and making appropriation for the expenses thereof.

Also—

Senate Concurrent Resolution No. 15:

A Senate Concurrent Resolution relating to the establish-



ment of a branch of the Florida State Hospital at some point in South Florida.

Also—

Senate Concurrent Resolution No. 16:

A Senate Concurrent Resolution of the Senate and House of Representatives inviting the Honorable Ed Rivers, Governor of the State of Georgia, and his family and the Honorable Bibb Graves, Governor of the State of Alabama, and his family to attend the Joint Session of the Legislature to be held for the purpose of conducting Memorial Exercises in memory of the Honorable Duncan U. Fletcher and the Honorable Park M. Trammell, late United States Senators from the State of Florida.

Have examined the same and find them correctly enrolled.

The same having been duly signed by the Speaker and Chief Clerk of the House of Representatives, we herewith present the same for the signature of the President and Secretary of the Senate.

Very respectfully,

H. S. MCKENZIE,

Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate.

The Concurrent Resolutions contained in the above report were thereupon duly signed by the President and Secretary of the Senate in open Session and ordered referred to the Joint Committee on Enrolled Bills on the part of the Senate, to be conveyed to the Governor for his approval.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator McKenzie, Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 19, 1937.

Hon. D. Stuart Gillis,  
President of the Senate.  
Sir:

Your Joint Committee on Enrolled Bills, to whom was referred:

House Bill No. 186:

A bill to be entitled An Act to amend Section 4140 of the Revised General Statutes of Florida, the same being Section 6071 of the Compiled General Laws of Florida, 1927, and to repeal Section 4141 of the Revised General Statutes of Florida, the same being Section 3072 of the Compiled General Laws of Florida, 1927, relating to banking.

Also—

House Bill No. 650:

A bill to be entitled An Act to provide the compensation of the members of the Board of Public Instruction in all Counties having a population of not less than 51,500 inhabitants and not more than 59,000 inhabitants, according to the State census of 1935.

Also—

House Bill No. 821:

A bill to be entitled An Act to regulate the taking of fresh water fish from the waters of Leon and Gadsden Counties, Florida, including the waters of Lake Talquin and the Ochlocknee River and to prohibit the sale of fresh water fish within such Counties and prescribing penalties for violation of the provisions hereof.

Also—

House Bill No. 850:

A bill to be entitled An Act defining the time when registration books in Counties having population of not less than fifty-one thousand (51,000), and not more than fifty-seven thousand (57,000) inhabitants according to the State census of 1935, shall be kept open in the office of the Supervisor of Registration and prescribing the duties of the registration officers therein.

Also—

House Bill No. 901:

A bill to be entitled An Act fixing the salaries of the Judges and Prosecuting Attorneys of the County Courts in Counties having a population of not less than 4,120 and not more than 4,130, according to the Federal census of the year

1930, and providing for the method of payment of such salaries.

Also—

House Bill No. 991:

A bill to be entitled An Act to provide payment to the Burrow Press, a corporation; the City of Pensacola, a municipal corporation; Smith's Bakery, a corporation; Peoples Ice Company, a co-partnership; Standard Oil Company, a corporation; Moulton-Cobb Prescription Company, a co-partnership; Pensacola Hospital, a corporation; Pensacola Tool and Supply Company, a corporation; Pensacola Service Corporation, a corporation; Pensacola Hardware Company, a corporation; Filo Turner, doing business as Pensacola Buggy Works; A. J. Pockrus, doing business as Pensacola Electric Garage; Shell Petroleum Corporation, a corporation; The Texas Company, a corporation; A. O. Bell, doing business as Gulf Sea Food and Grocery Company; Nettie McMillan, doing business as McMillan Auction Company; W. M. McClellan, doing business as McClellan Coal Company; W. G. Porter, L. M. Harvey, N. F. Harris; Marston-Quina, Inc., a corporation; Ed Nicholson; Growers Exchange, a corporation; Philip Goldenburg, doing business as Gulf Coast Mercantile Company; John H. Myrick; Dr. H. L. Bryans, doing business as Bryans Pharmacy; Dr. A. L. Whigham, doing business as Century Pharmacy; Ferriss Lee Lumber Company, a corporation; Gulf Refining Company, a corporation; Sherill Oil Company, a corporation; Lewis Bear Company, a corporation; Charles Booth, doing business as Booth Brothers; Berry & Holland, a co-partnership; S. H. Fried; Gallion Iron Works & Manufacturing Company, a corporation; Elizabeth Coskrey, doing business as Monarch Grocery Company; Walter White, doing business as Whites Pharmacy; Wholesale Drug Corporation, a corporation; Runyan Machine & Boiler Works, a corporation; H. E. Hannah, doing business as Hannahs Pharmacy; The Powers Company, a corporation; Pensacola Paper Company, a corporation; J. D. Adams Company, a corporation; Gonzalez Trading Company, a corporation; Newport Industries, a corporation; J. I. Holcomb Manufacturing Company, a corporation; Ellis A. Jones, doing business as Naval Stores Copper & Metal Works; W. K. Taylor, doing business as Taylor Hardware Company; Eugene Harper; Ernest Johnson; C. H. Turner Company, a co-partnership; Charles Foster; John Bradley; W. R. Taylor, doing business as W. R. Taylor & Company; American Agricultural Chemical Company, a corporation; R. Leon Jones; Mayes Printing Company, a corporation; Waters & Hibbert, a co-partnership; The Crystal Ice Company, a corporation; W. H. White; Florida Power & Light Company, a corporation; Central Hardware & Supply Company, a corporation; D. Levy; Gulf Power Company, a corporation; and Murphy Construction Company, a corporation, for certain services rendered and/or goods, wares and merchandise sold and delivered to Escambia County, Florida, and certain hospitalization, services, labor, medicine, drugs and equipment furnished to Escambia County Health Unit.

Whereas in the course of the operation and management of Escambia County, Florida, and of Escambia County Health unit, it became absolutely necessary to supply certain goods, wares and merchandise, hospitalization, services, labor, medicine, drugs and equipment to the said County and to the said Escambia County Health Unit; and whereas upon the request of the proper authority of Escambia County, Florida, and/or Escambia County Health Unit the following persons, firms and corporations furnished to said Escambia County, Florida, and/or Escambia County Health Unit certain goods, wares and merchandise, hospitalization, services, labor, medicine, drugs, and equipment, in the following amounts, to-wit: The Burrow Press, a corporation, One Hundred Nine and 25/100 Dollars; The City of Pensacola, a municipal corporation, Four Hundred Sixty One and 62/100 Dollars; Smiths Bakery, a corporation, Nineteen and 72/100 Dollars; Peoples Ice Company, a co-partnership, Ten and no/100 Dollars; Standard Oil Company, a corporation, Thirty One and 43/100 Dollars; Moulton-Cobb Prescription Company, a co-partnership, Three Hundred Fifty Four and 26/100 Dollars; Pensacola Hospital, a corporation, Thirteen Thousand and Five and 20/100 Dollars; Pensacola Tool & Supply Company, a corporation, Fifty Two and 70/100 Dollars; Pensacola Service Corporation, a corporation, One Hundred Seventy Two and 80/100 Dollars; Pensacola Hardware Company, a corporation, Eight and 51/100 Dollars; Filo Turner, doing business as Pensacola Buggy Works, Seven and 21/100 Dollars; A. J. Pockrus, doing business as Pensacola Electric Garage, Twenty-four and

35/100 Dollars; Shell Petroleum Corporation, a corporation, One Hundred Fifty-nine and 23/100 Dollars; The Texas Company, a corporation, Four and 40/100 Dollars; A. O. Bell, doing business as Gulf Sea Food and Grocery Company, Eight and 16/100 Dollars; Nettie McMillan, doing business as McMillan Auction Company, One and 80/100 Dollars; W. M. McClellan, doing business as McClellan Coal Company, Fifteen and no/100 Dollars; W. G. Porter, Thirty Cents; L. M. Harvey, Seven and 85/100 Dollars; N. F. Harris, Four and 90/100 Dollars; Marston-Quina, Inc., a corporation, Fourteen and no/100 Dollars; Ed Nicholson, Three and 50/100 Dollars; Growers Exchange, a corporation, One and 18/100 Dollars; Phillip Goldenburg, doing business as Gulf Coast Mercantile Company, Two Hundred and 1/100 Dollars; John H. Myrick, Eight and 20/100 Dollars; Dr. H. L. Bryans, doing business as Bryans Pharmacy, One Hundred Eighty-two and 17/100 Dollars; Dr. A. L. Whigham, doing business as Century Pharmacy, Sixteen and 55/100 Dollars; Ferriss Lee Lumber Company, a corporation, Ten and no/100 Dollars; Gulf Refining Company, a corporation, One Hundred Seventy-one and 85/100 Dollars; Sherill Oil Company, a corporation, Four Hundred Fifty-two and 27/100 Dollars; Lewis Bear Company, a corporation, Five Hundred Thirty-eight and 20/100 Dollars; Charles Booth, doing business as Booth Brothers, One Hundred Forty-eight and 49/100 Dollars; Berry & Holland, a co-partnership, Thirty-one and 33/100 Dollars; B. H. Fried, Fourteen and 13/100 Dollars; Calion Iron Works & Manufacturing Company, a corporation, Thirty-two and 24/100 Dollars; Elizabeth Coskrey, doing business as Monarch Grocery Company, Seventeen and 18/100 Dollars; Walter White, doing business as Whites Pharmacy, One Hundred One and 15/100 Dollars; Wholesale Drug Corporation, a corporation, Two and 74/100 Dollars; Runyan Machine & Boiler Works, a corporation, Two Hundred Seventy-six and 35/100 Dollars; N. E. Hannah, doing business as Hannahs Pharmacy, Fifty-four and 44/100 Dollars; The Powers Company, a corporation, Five and 8/100 Dollars; Pensacola Paper Company, a corporation, Six and 20/100 Dollars; J. D. Adams Company, a corporation, Three Hundred Nineteen and 8/100 Dollars; Gonzales Trading Company, a corporation, Three and 30/100 Dollars; Newport Industries, a corporation, Nineteen and 75/100 Dollars; J. I. Holcomb Manufacturing Company, a corporation, Four and 66/100 Dollars; Ellis A. Jones, doing business as Naval Stores Copper & Metal Works, Seven and no/100 Dollars; W. E. Taylor, doing business as Taylor Hardware Company, Forty-two and 25/100 Dollars; Eugene Harper, Two and no/100 Dollars; Ernest Johnson, Two and no/100 Dollars; C. H. Turner Company, a co-partnership, Seventy and no/100 Dollars; Charles Foster, Three and no/100 Dollars; John Bradley, Three and no/100 Dollars; W. R. Taylor, doing business as W. R. Taylor & Company, Twenty-five and 90/100 Dollars; American Agricultural Chemical Company, a corporation, Four and 46/100 Dollars; R. Leon Jones, Six and 85/100 Dollars; Mayes Printing Company, a corporation, One Hundred Twenty-nine and 45/100 Dollars; Waters & Hibbert, a co-partnership, Twenty-five and no/100 Dollars; The Crystal Ice Company, a corporation, Ten and no/100 Dollars; W. S. White, Five and no/100 Dollars; Florida Power & Light Company, a corporation, Seventeen and 50/100 Dollars; Central Hardware & Supply Company, a corporation, Two and 31/100 Dollars; D. Levy, Three and no/100 Dollars; Gulf Power Company, a corporation, Four Hundred Two and 32/100 Dollars; Murphy Construction Company, a corporation, Three Hundred Sixty-one and no/100 Dollars;

And whereas neither of said sums has been paid to said persons, firms or corporations, due to the fact that said expenditures were not properly provided for in the budget of Escambia County, Florida; and whereas it is just and proper that said persons, firms and corporations should be compensated for said expenditures, which were necessary and proper for the public purposes of said county, now, therefore.

Also—

House Bill No. 1002:

A bill to be entitled An Act to amend Section 1 of Article 1 of An Act of the Legislature entitled "An Act to abolish the present Municipal Government of the Town of Belle Glade, Palm Beach County, Florida; to create and establish a new Municipality to be known as the Town of Belle Glade, in Palm Beach County, Florida; to legalize and validate all ordinances of said Town of Belle Glade; and all official Acts thereunder; and to adopt the same as the ordinances of the Town of Belle Glade; to legalize and validate all Bonds issued or created by said Town of Belle Glade; to legalize and

validate all street and sidewalk assessments issued, levied, or created by said Town of Belle Glade; to fix and provide its territorial limits, jurisdictions and powers, and the jurisdiction and powers of its officers; to prescribe the time within which suits can be brought against said town and for notice thereof; to provide for the repeal of all laws in conflict herewith, and to determine and fix the time when this Act shall become effective, and to provide a negative referendum on the question of incorporating said town by annexing additional territory and providing how other territory may be added to town, the Act amended being Chapter 15082 of the Legislature of Florida, approved June 16, 1931.

Also—

House Bill No. 1004:

A bill to be entitled An Act fixing the compensation of the County Commissioners of Broward County, Florida, and the compensation of the Superintendent of Public Instruction of Broward County, Florida.

Also—

House Bill No. 1014:

A bill to be entitled An Act for the relief of Deputy Sheriffs suffering from accidents received in the performance of their official duties in counties having a population of not less than 53,000 and not more than 54,000, according to the State Census of 1935.

Also—

House Bill No. 1024:

A bill to be entitled An Act relating to Sugarland Drainage District, a Drainage District organized and existing under the Laws of Florida and embracing lands within Hendry and Glades counties; declaring the existence of said district, validating the creation thereof and declaring its boundaries; creating within said district two units; authorizing the construction of certain improvements and the making of repairs to existing works; creating certain funds for monies of the district; providing for the levy, assessment and collection of special taxes or assessments for the district; ascertaining and declaring benefits accrued and to accrue to the lands within the district by virtue of works and improvements heretofore constructed; ratifying, confirming and validating certain Acts of the Board of Supervisors, agents and officers of the district; cancelling and annulling certain taxes and assessments heretofore levied for said district, and the liens representing such taxes and assessments; authorizing the issuance of bonds for the purpose of refunding the existing indebtedness of the district and providing procedure therefor.

Also—

House Bill No. 1075:

A bill to be entitled An Act to authorize and empower the City of Port St. Joe, Florida, to issue bonds of said city in a principal amount not in excess of Two Hundred Fifty Thousand Dollars, (\$250,000) for the purpose of retiring water and sewer revenue debentures of said City of Port St. Joe in the amount of Two Hundred Thousand Dollars (\$200,000.00), and for the purpose of completing and extending the waterworks and sewer systems of said City of Port St. Joe, and to provide the manner of the execution and sale of said bonds and to provide for the payment thereof and providing for an election to determine whether said bonds shall be issued or not.

Also—

House Bill No. 1083:

A bill to be entitled An Act providing a supplemental additional and alternative method of making local improvements of the City of Tampa, authorizing and providing for special assessments for the cost thereof, authorizing the issuance of certificates of indebtedness for the amounts assessed against abutting property, and providing for the manner and method of collection of such liens, and enforcing the collection thereof.

Also—

House Bill No. 1093:

A bill to be entitled An Act providing for the creation for Seminole County of a Delinquent Tax Adjustment Board, prescribing the powers and duties of such board; providing for the creation of a Delinquent Tax Adjustment Board of Appeals and prescribing the powers and duties of such board; providing for the compromise and adjustment of tax sales certificates held by the State upon certain conditions.

Also—

House Bill No. 1119:

A bill to be entitled An Act relating to the distribution and expenditure of moneys derived from gasoline taxes placed to the credit of Madison County, a political subdivision of the State of Florida, conferring certain powers and authority, and imposing certain directions and duties in connection therewith, upon the State Board of Administration and upon the Board of County Commissioners of the said county.

Also—

House Bill No. 1220:

A bill to be entitled An Act to repeal Chapter 5781, Laws of Florida, Acts of 1907, same being An Act to prohibit fishing in the waters of Sumter County except with rod, hook and line, spinner or troll.

Also—

House Bill No. 1259:

A bill to be entitled An Act authorizing and empowering the Board of County Commissioners of Hillsborough County, Florida, to lease part or all of Williams' Park, belonging to the said County of Hillsborough, and more particularly described as follows: That part of government lot 3 in section 23, township 30 south, range 19, contained in the following boundaries: Beginning at a point of intersection of the section line dividing sections 22 and 23 of said township and range with the Alafia River on the north bank of said river, run thence along said section line in a northerly direction 800 feet, run thence due east to Hill Point Bayou, run thence in a southerly direction along said Hill Point Bayou to the Alafia River, thence in a westerly direction along said Alafia River to the point of beginning. Except railroad right-of-way deeded December 11, 1917, Deed Book 260, page 200, and except State road right-of-way; providing for the manner and method of entering into said lease, and empowering the said board to lease part or all of said property for a term of years, and for other purposes incident thereto.

Also—

House Bill No. 1261:

A bill to be entitled An Act ordering and directing the State Board of Administration to sell certain bonds issued by the Town of Palm Bay and held in the interest and sinking fund account of Brevard County, Florida.

Also—

House Bill No. 1274:

A bill to be entitled An Act to repeal Chapter 13493, Laws of Florida, Acts of 1931, same being An Act authorizing the Board of County Commissioners of Sumter County, Florida, to fix the salaries of the members thereof.

Also—

House Bill No. 1341:

A bill to be entitled An Act authorizing and directing the City of Tampa, a municipal corporation to pay all bills incurred by the Board of Elections in said city in connection with petitions seeking charter board elections.

Have examined the same and find them correctly enrolled.

The same having been duly signed by the Speaker and Chief Clerk of the House of Representatives, we herewith present the same for the signature of the President and Secretary of the Senate.

Very respectfully,

H. S. McKENZIE,

Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate.

The bills contained in the above report were thereupon duly signed by the President and Secretary of the Senate in open session and ordered referred to the Joint Committee on Enrolled Bills on the part of the Senate, to be conveyed to the Governor for his approval.

Senator McKenzie, Chairman of the Joint Committee on Enrolled Bills on the part of the Senate, submitted the following report:

Senate Chamber,

Tallahassee, Fla., May 19, 1937.

Hon. D. Stuart Gillis,  
President of the Senate.

Sir:

Your Joint Committee on Enrolled Bills, to whom was referred:

Committee Substitute for Senate Bill No. 135:

A bill to be entitled An Act to amend Sections 8, 11, 12 and 13 of Chapter 9330, Laws of Florida, Acts of 1923, the same being Sections 3442, 3445, 3446 and 3447 of Compiled General Laws of Florida, 1927, relating to the practice of Chiropractic in the State of Florida.

Have examined the same and find it correctly enrolled.

The same having been duly signed by the Speaker and Chief Clerk of the House of Representatives, we herewith present the same for the signature of the President and Secretary of the Senate.

Very respectfully,

H. S. McKENZIE,

Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate.

The bill contained in the above report was thereupon duly signed by the President and Secretary of the Senate in open Session and ordered referred to the Joint Committee on Enrolled Bills on the part of the Senate, to be conveyed to the Governor for his approval.

Senator McKenzie, Chairman of the Joint Committee on Enrolled Bills on the part of the Senate, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 19, 1937.

Hon. D. Stuart Gillis,

President of the Senate.

Sir:

Your Joint Committee on Enrolled Bills, to whom was referred:

House Concurrent Resolution No. 13:

A Concurrent Resolution inviting the Honorable Alben William Barkley, United States Senator from Kentucky, to address the Legislature of the State of Florida.

Also—

House Bill No. 16:

A bill to be entitled An Act relating to the issuance and life of executions.

Also—

House Bill No. 40:

A bill to be entitled An Act to provide alternate jurors for the trial of cases in Circuit and Criminal Courts of the State of Florida where the presiding judge in his discretion shall deem it necessary.

Also—

House Bill No. 181:

A bill to be entitled An Act permitting the State Comptroller to appoint the Federal Deposit Insurance Corporation to act as liquidator of any banking institution which has membership in the Federal Deposit Insurance Corporation; to act without bond and to have all of the usual powers granted a liquidator under the Laws of the State of Florida and providing for a subrogation of the rights of depositors and creditors.

Also—

House Bill No. 182:

A bill to be entitled An Act giving a bank or trust company the option to refuse payment of a check or other demand instrument presented more than one year after date.

Also—

House Bill No. 185:

A bill to be entitled An Act permitting banks organized under the Laws of Florida to avail themselves of privileges accorded banking institutions and depositors, creditors, stockholders, conservators, receivers or liquidators by virtue of the present provisions of Section 12 B of the Federal Reserve Act, as amended or any amendments thereto, including subscription for stock, debentures, bonds or other types of securities issued by the Federal Deposit Insurance Corporation.

Also—

House Bill No. 188:

A bill to be entitled An Act relating to assessments against stockholders in banking, savings and trust companies.

Also—

House Bill No. 316:

A bill to be entitled An Act requiring electors in Counties having a population of not less than 3,150 and not more than 3,200 according to the last official census of the State of Florida, to re-register in said Counties.

Also—

House Bill No. 578:

A bill to be entitled An Act providing that the Commissioner of Agriculture of the State of Florida shall submit to the Budget Commission of the State of Florida a statement of the number of employees of the Citrus Inspection Bureau and to make it necessary for the Budget Commission of the State of Florida to approve the same before the Comptroller of the State of Florida is authorized to draw warrants to pay said employees.

Also—

House Bill No. 615:

A bill to be entitled An Act for the Cancellation of all outstanding tax sales certificates held and owned by the State of Florida and/or Pinellas County and all tax liens for subsequent unpaid taxes on certain lands in Pinellas County, Florida.

Also—

House Bill No. 704:

A bill to be entitled An Act providing for the cancellation of all outstanding tax sales certificates held and owned by the State of Florida and all tax liens and subsequent taxes on certain lands in Pinellas County, Florida.

Also—

House Bill No. 713:

A bill to be entitled An Act to provide for the compensation of Prosecuting Attorney in Counties having a Population of more than 5,000 and not more than 5,400 according to the State census of 1935.

Also—

House Bill No. 721:

A bill to be entitled An Act relating to compensation of the County Judge in all Counties of the State of Florida having a population of 5,428 and not more than 5,500 according to the State census of 1935, and prescribing the fund out of which same shall be paid and the disposition of certain fees and compensations now being received by such official, and prescribing the time when this Act shall become a law.

Also—

House Bill No. 799:

A bill to be entitled An Act to provide for the Cancellation and/or release of all State and/or County taxes, tax sale certificates and/or tax deeds issued to and/or held or owned by the State and/or Manatee County on certain real estate described as follows: All of Block "A" North Main Street Addition to Palmetto, Manatee County, Florida, to be used as a Fair and Exposition grounds for a non-profit Fair Association, and for a storage lot for a State owned and controlled farmer's market.

Also—

House Bill No. 840:

A bill to be entitled An Act fixing the minimum and maximum amounts of bonds to be furnished by the Clerks of the Circuit Courts, the Sheriffs, the Clerks of the Criminal Courts of Record and the Justices of the Peace in all counties of the State having populations in excess of 150,000 according to the last State Census, providing the amounts thereof to be fixed by the Boards of County Commissioners of the respective counties, the approval thereof by such Boards of County Commissioners and the Comptroller, the filing of such bonds, the number, obligation and justification of sureties thereon and providing when this Act shall become effective.

Also—

House Bill No. 844:

A bill to be entitled An Act to provide for the re-registration of all voters for primary elections to be held in the year, A. D. 1938, in every county of the State of Florida, which has a

population of not less than 5,560, and not more than 5,750, according to the 1935 State Census, and designating the time, when and where the registration books in each county shall be kept open; type and number of registration books to be used.

Also—

House Bill No. 865:

A bill to be entitled An Act authorizing the City of Sanford, Florida, to use for its operating fund certain revenue derived from the operation of its water plant.

Also—

House Bill No. 869:

A bill to be entitled An Act providing for the payment of the salaries of the members of the school boards of the counties having a population not less than 8,350 and not more than a population of 8,400 according to the last State Census, and repealing all laws in conflict herewith.

Also—

House Bill No. 878:

A bill to be entitled An Act to provide for re-registration of all voters for primary and general elections to be held in the year A. D. 1938 and every six years thereafter in Counties of the State of Florida having a population of not less than thirty thousand seven hundred and not more than thirty thousand eight hundred inhabitants according to the 1935 State census; fixing the time when registration books in each of said Counties shall be kept open for purpose of such re-registration and prescribing the duties and compensation of registration officers in connection therewith.

Also—

House Bill No. 902:

A bill to be entitled An Act to authorize the Board of County Commissioners of Counties, in the State of Florida, having a population of not less than 4,120 and not more than 4,130, according to the Federal census of the year 1930, to employ some individual or Attorney at Law, resident in that County, to collect delinquent taxes on personal property by suit or otherwise, and providing that suit may be brought in the name of the State of Florida for the collection of said taxes, and to authorize the said Board of County Commissioners to make adjustments and/or compromise the amount found to be due for such personal taxes for the year 1936 and/or prior years, and providing for the disposal of funds collected.

Also—

House Bill No. 1069:

A bill to be entitled An Act to provide for the distribution of funds received under Chapter 14832, Laws of Florida, Acts of 1931, as amended by Chapter 16113, Laws of Florida, Acts of 1933, in Counties having a population of not less than five thousand four hundred fifty (5,450) and not more than five thousand five hundred seventy five (5,575), according to the last State census.

Also—

House Bill No. 1090:

A bill to be entitled An Act authorizing the State Board of Administration to sell or trade any investments in any interest and sinking fund accounts of Seminole County administered by said Board.

Also—

House Bill No. 1158:

A bill to be entitled An Act authorizing the creation of Municipal Tax Adjustment Board for the City of Brooksville, Hernando County, Florida; prescribing its powers, duties, and limitations; prescribing the length of time such Board shall stay in existence; providing for a chairman and secretary and authorizing said Board to adjust, settle, and compromise taxes and special assessments.

Also—

House Bill No. 1178:

A bill to be entitled An Act prohibiting the killing of wild turkey and deer within the limits of Pinellas County, Florida, and prescribing the penalties therefor.

Also—

House Bill No. 1201:

A bill to be entitled An Act to empower Port of Palm Beach District, in Palm Beach County, Florida, to provide for the purchase, construction, development, improvement, operation and maintenance of its warehouse, storage, docking or terminal facilities, or its property, or appurtenances thereto; to provide for the issuance of revenue bonds payable solely out of the revenues derived therefrom; to provide for the operation of said facilities in case of deficiencies in revenue therefrom; and declaring an emergency.

Also—

House Bill No. 1202:

A bill to be entitled An Act to amend Chapter 15302, Special Laws of Florida, Acts of 1931, being an Act relating to and concerning the Town of Lantana in Palm Beach County, Florida, by repealing that portion of Section 8, Article I, relating to the election of a Chief of Police; repealing Section 17, Article I; and repealing Section 7, Article VIII; providing for the appointment of a Chief of Police; providing a time for holding general municipal elections; providing for the election of Aldermen and providing their term of office; providing authority to Town Council to fill vacancies therein until the next ensuing general elections; providing a zoning power to the Council; providing for the assessment of omitted taxes; providing for the execution of municipal tax deeds by the Mayor and Town Clerk; providing means for disposition of real estate acquired by said town for the non-payment of taxes.

Also—

House Bill No. 1221:

A bill to be entitled An Act to repeal Chapter 6011, Laws of Florida, Acts of 1909, same being An Act to amend Sections 3, 4 and 5, Chapter 5781, Acts of 1907, to prohibit fishing in the waters of Sumter County except with rod, hook and line, spinner or troll, gun or gig.

Also—

House Bill No. 1222:

A bill to be entitled An Act to repeal Chapter 9636, Laws of Florida, Acts of 1923, same being An Act to protect the fox in Sumter County, Florida.

Also—

House Bill No. 1224:

A bill to be entitled An Act to repeal Chapter 9638, Laws of Florida, Acts of 1923, same being an Act relating to hunting and fishing and the catching and killing of fur bearing animals in Sumter County, State of Florida, and providing penalties for the violation of this Act.

Also—

House Bill No. 1229:

A bill to be entitled An Act to repeal Chapter 11163, Laws of Florida, Acts of 1925, same being an Act to authorize the County Commissioners of Sumter County to levy a special tax for publicity purposes.

Also—

House Bill No. 1236:

A bill to be entitled An Act fixing and determining the compensation of the Commissioners of the Port of Palm Beach District, by amending a portion of Section 3, Chapter 7081, Laws of Florida, 1915.

Also—

House Bill No. 1239:

A bill to be entitled An Act prohibiting the pursuing, taking, killing or hunting of any game or game birds in Citrus County, Florida, after the 31st day of January of each year; providing that nothing in this Act shall be construed to permit the hunting, killing, pursuing or killing of any game or game birds which is prohibited in said county by any law of the State of Florida, either general or special, nor to extend the period now or hereafter fixed by any law of the State of Florida during which any game or game birds may be hunted, pursued, taken or killed in said county; providing a penalty for the violation of this Act and repealing all laws and parts of laws in conflict with this Act and providing that this Act shall take effect immediately upon its passage and approval by the Governor or upon its becoming a law without such approval.

Also—

House Bill No. 1242:

A bill to be entitled An Act authorizing and empowering the City of St. Petersburg to construct, operate and maintain a Commercial Radio Station, and to do all necessary things incident to the ownership or operation of a Commercial Broadcasting Station.

Also—

House Bill No. 1243:

A bill to be entitled An Act providing that no suit shall be instituted or maintained against the City of St. Petersburg, Florida, for damages arising out of any personal injury unless written notice of such claim or injury is given to the City Manager of said city within sixty days from the date of receiving the injury.

Also—

House Bill No. 1248:

A bill to be entitled An Act to provide for the equal apportionment, distribution and use between the Board of County Commissioners of St. Lucie County, Florida, and Board of Public Instruction of St. Lucie County, Florida, of all monies received by St. Lucie County, Florida, under the provisions of Chapter 14832, Laws of Florida, Acts of 1931, or any amendment or amendments, thereto, or other laws providing for revenue from licensed race tracks in this State, providing that said monies shall be paid by the State Treasurer on separate warrants drawn by the Comptroller to the said Boards, and restricting the disbursement of said monies.

Also—

House Bill No. 1253:

A bill to be entitled An Act authorizing the Board of County Commissioners of Hillsborough County, Florida, to pay to Colonel Gilbert A. Youngberg, Consulting Engineer, of Jacksonville, Florida, the sum of \$350.00, as the contribution of said county toward the cost of the Economic Survey of the Florida West Coast Intra-coastal Waterway.

Also—

House Bill No. 1263:

A bill to be entitled An Act to prohibit in Martin County, Florida, the capture, injury or killing of alligators, the sale, transporting and transporting for sale of alligators, alligator skins, alligator teeth or alligator eggs, and providing the penalty for violation of such Act.

Also—

House Bill No. 1269:

A bill to be entitled An Act to repeal Chapter 16711, Laws of Florida, Acts of 1933, same being an Act requiring the Board of Public Instruction and the Board of County Commissioners of Sumter County, Florida, to reduce millages in Sumter County for the operation of any and all schools in such county and to further provide that all moneys derived by such Board of Public Instruction in such county from any source other than Ad Valorem Tax shall be used exclusively for the operation of such schools in Sumter County.

House Bill No. 1270:

A bill to be entitled An Act authorizing and empowering the Board of County Commissioners of Hillsborough County, Florida, to make an annual appropriation not exceeding \$300.00, in its budget each year to the Hillsborough County Humane Society, a corporation not for profit, under the Laws of the State of Florida.

Also—

House Bill No. 1271:

A bill to be entitled An Act authorizing and empowering the Board of County Commissioners of Hillsborough County, Florida, to lease the one-half interest in the Old Detention Home belonging to said County of Hillsborough, and more particularly described as follows:

An undivided one-half interest in that part of Government Lot 2 of Section 1, Township 29, Range 18, bounded as follows: Commence at center of said Section 1 and run thence due west 2024 feet (30.75 chains) to a point on south line of said Lot 2 for a point of beginning, run thence due north 430 feet, thence due west to the Hillsborough River, thence south-westwardly along margin of said river to a point where it



intersects with the south line of said lot 2, thence due east to point of beginning (about 700 feet) containing five acres more or less.

To Seminole Post No. 111 of the American Legion, a corporation not for profit.

Whereas, the Old Detention Home of Hillsborough County, Florida, is owned jointly by the County of Hillsborough, and the City of Tampa, Florida, a municipal corporation.

And Whereas, the said City of Tampa and the said County of Hillsborough desire to lease said property to Seminole Post No. 111 of the American Legion, a corporation not for profit.

Also—

House Bill No. 1284:

A bill to be entitled An Act to repeal Chapter 14495, Laws of Florida, Acts of 1929, same being an Act authorizing the Board of County Commissioners in certain counties in Florida to fix the salaries of the members thereof.

Also—

House Bill No. 1289:

A bill to be entitled An Act authorizing the State Board of Administration to accept refunding bonds in exchange for and in lieu of any investments in any interest and sinking fund accounts of Martin County, or any Special Road and Bridge Districts therein, administered by said board.

Also—

House Bill No. 1320:

A bill to be entitled An Act to authorize and empower the trustees of the Internal Improvement Fund of the State of Florida to sell, grant and convey to the owners of the adjacent uplands the title and interest of the State of Florida in and to all or any part of the now or heretofore submerged lands in Bay County, Florida, lying between the original shore line of Saint Andrews Bay and the channel of said bay and lying between lines extending perpendicular to the general direction of the channel of said bay to the following points on said original shore line, to-wit: (1) The point where the eastern boundary of the tract of the Atlanta and St. Andrews Bay Railway Company intersects said shore line at or near the south end of an alley leading from Fifth Street in Panama City, Florida, and (2) the point where the western boundary of said tract intersects the shore line at the center of the channel leading from the bayou which lies west of the depot of said railway company in Panama City, Florida, said point being in block 23 of the C. B. Thompson plat of 1888, said submerged and formerly submerged lands being adjacent to and south and southwest of the tract of land in Panama City now in possession of said railway company and its lessee, and consisting of the tract in which the rail tracks of said company are now laid, as well as the tract formerly known as the Pines Hotel tract and the tract formerly known as the St. Andrews Bay Lumber Company tract adjacent thereto; to provide for

the application of the proceeds of such sales as now provided by law with reference to proceeds of sales by said trustees of swamp and overflowed lands; and for other purposes.

Have examined the same and find them correctly enrolled.

The same having been duly signed by the Speaker and Chief Clerk of the House of Representatives, we herewith present the same for the signature of the President and Secretary of the Senate.

Very respectfully,

H. S. McKENZIE.

Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate.

The bills and Concurrent Resolution contained in the above report were thereupon duly signed by the President and Secretary of the Senate in open session and ordered referred to the Joint Committee on Enrolled Bills on the part of the Senate, to be conveyed to the Governor for his approval.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator McKenzie, Chairman of the Joint Committee on Enrolled Bills on the part of the Senate, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 19, 1937.

Hon. D. Stuart Gillis,

President of the Senate.

Sir:

Your Joint Committee on Enrolled Bills, to whom was referred:

Committee Substitute for Senate Bill No. 135:

A bill to be entitled An Act to amend Sections 8, 11, 12 and 13 of Chapter 9330, Laws of Florida, Acts of 1923, the same being Sections 3442, 3445, 3446, and 3447 of Compiled General Laws of Florida, 1927, relating to the practice of Chiropractic in the State of Florida.

Beg leave to report that the same have this day been presented to the Governor for his approval.

Very respectfully,

H. S. McKENZIE,

Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate.

Senator Westbrook, as Chairman of the Committee on Rules and Calendar, moved that Senate Bills Nos. 510, 584, 478, 479, 333, 550, 551, 552, and 432 be made Special and Continuing Orders for consideration in the order mentioned when Orders of the Day are reached in the proceedings on Thursday, May 20, 1937.

The hour of adjournment having arrived, a point of order was called and the Senate stood adjourned at 5:02 o'clock P. M., until 11:00 o'clock A. M., Thursday, May 20, 1937.